

SENATE

THURSDAY, JULY 15, 1937

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O merciful God and Heavenly Father, who has taught us in Thy Holy Word that Thou doest not willingly afflict or grieve the children of men: We come unto Thee at this sorrow-laden hour like ships storm-driven into port, like wanderers seeking refuge from the whelming night, asking Thee to receive us, to shelter us under Thy wing, to hide us in Thy heart.

Thou hast taken unto Thyself the soul of our beloved friend and gallant leader, for whose life we thank Thee, who knew no fear save that of wounding Thee, who never stooped to an unchivalrous deed, but always bowed in reverence before the innocence of little children because his heart was pure. Help us to imitate his virtues and at this altar of our sorrow to rededicate our lives to Thee and to the service of our beloved country. Through these halting hours of anguish deal tenderly, O compassionate Father, with the dear one, the heart companion of his life; enfold her in Thine arms of everlasting love, and by the very hush of Thy presence soothe her aching heart.

Bide with us all, dear Lord, for day is fast dying and the shadows of the night shall fall, and soon we shall no longer see each other's faces here, but be our light in darkness till Thy day shall break above us as we wait. We ask it in the name and for the sake of Him who hath brought life and immortality to light, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar days Tuesday, July 13, 1937, and Wednesday, July 14, 1937, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Joseph T. Robinson, late a Senator from the State of Arkansas.

The message announced that the House had passed a joint resolution (H. J. Res. 431) making an appropriation for the control of outbreaks of insect pests, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 458. An act for the relief of Eva Markowitz;
H. R. 730. An act for the relief of Joseph M. Clagett, Jr.;
H. R. 1377. An act for the relief of Walter T. Karshner, Katherine Karshner, Anna M. Karshner, and Mrs. James E. McShane;

H. R. 1945. An act for the relief of Venice La Prad;
H. R. 2332. An act for the relief of William Sulem;
H. R. 2562. An act for the relief of Mr. and Mrs. David Stoppel;

H. R. 2565. An act to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the Mississippi River and its tributaries; and

H. R. 3634. An act for the relief of Noah Spooner.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 431) making an appropriation for the control of outbreaks of insect pests was read twice by its title and referred to the Committee on Appropriations.

CONTROL OF INSECT PESTS

Mr. LEWIS. I ask for a roll call, in order to assure the presence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mr. McKELLAR. Mr. President, before the roll is called, will the Senator from Illinois yield to me?

Mr. LEWIS. Mr. President, I withdraw for the present the suggestion of the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Illinois withdraws the point of no quorum.

Mr. McKELLAR. Mr. President, House Joint Resolution 431, making an appropriation for the control of outbreaks of insect pests, has just come over from the House. I am authorized by the Committee on Appropriations, and for the Senator from Virginia [Mr. GLASS], to report the joint resolution favorably without amendment, and I submit a report (No. 887) thereon. I ask unanimous consent for the immediate consideration of the joint resolution.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. KING. Does that mean that, without discussion and consideration, the House joint resolution shall be approved?

Mr. McKELLAR. Yes; I hope it may mean that. The proof before the House committee shows that a great emergency exists in the West in regard to insect pests. The Senator from Colorado is especially interested in the passage of the proposed legislation; it seemed to the committee to be an emergency matter, and it is hoped that the joint resolution may be passed without delay.

Mr. McNARY. Mr. President, I do not recall the provisions of the measure.

Mr. McKELLAR. Sometime ago the Congress, in connection with what is known as the grasshopper control, authorized an appropriation of \$2,000,000, \$1,000,000 of which has been appropriated and spent. The proof before the House was so very strong that, in order to control grasshoppers and other pests in various Western States, it is absolutely necessary that the appropriation provided by the joint resolution shall be made.

The PRESIDENT pro tempore. Is there objection to the present consideration of the House joint resolution?

There being no objection, the joint resolution (H. J. Res. 431) making an appropriation for the control of outbreaks of insect pests was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That for carrying out the purposes of and for expenditures authorized under the public resolution entitled "Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs", approved April 6, 1937, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000,000, to remain available until June 30, 1938: Provided, That in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for control of grasshoppers, Mormon crickets, or chinch bugs in any State until such State has provided the organization or materials and supplies necessary for cooperation: Provided further, That this appropriation shall be expended under the personal supervision and direction of the Secretary of Agriculture, who shall make a detailed report to the Secretary of the Senate and the Clerk of the House of Representatives of the several items of expenditure made hereunder: Provided further, That transportation of control materials purchased under this appropriation shall be under conditions and means determined by the Secretary of Agriculture as most advantageous to the Federal Government: Provided further, That procurements under this appropriation may be made by open-market purchases notwithstanding the provisions of section 3709 of the Revised Statutes of the United States (U. S. C., title 41, sec. 5).

Mr. McKELLAR. Mr. President, I ask unanimous consent that the joint resolution may be signed by the Presiding Officer while the Senate is in recess or adjournment following today's session.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FARMERS HOME CORPORATION—CONFERENCE REPORT

Mr. BANKHEAD. Mr. President, for certain reasons, I am anxious to have final action taken on the conference report on House bill 7562, being the farm tenancy bill, so-called. I submit the conference report, and ask unanimous consent for its immediate consideration. If it leads to any debate, I will withdraw the request.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7562) to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general welfare of the United States, to provide additional credit facilities for agricultural development, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as 'The Bankhead-Jones Farm Tenant Act'."

"TITLE I—FARM TENANT PROVISIONS"

"POWER OF SECRETARY"

"SECTION 1. (a) The Secretary of Agriculture (hereinafter referred to as the 'Secretary') is authorized to make loans in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico to persons eligible to receive the benefits of this title to enable such persons to acquire farms.

"(b) Only farm tenants, farm laborers, sharecroppers, and other individuals who obtain, or who recently obtained, the major portion of their income from farming operations shall be eligible to receive the benefits of this title. In making available the benefits of this title, the Secretary shall give preference to persons who are married, or who have dependent families, or, wherever practicable, to persons who are able to make an initial down payment, or who are owners of livestock and farm implements necessary successfully to carry on farming operations. No person shall be eligible who is not a citizen of the United States.

"(c) No loan shall be made for the acquisition of any farm unless it is of such size as the Secretary determines to be sufficient to constitute an efficient farm-management unit and to enable a diligent farm family to carry on successful farming of a type which the Secretary deems can be successfully carried on in the locality in which the farm is situated.

"COUNTY COMMITTEES AND LOANS"

"SEC. 2. (a) The County Committee established under section 42 shall—

"(1) Examine applications (filed with the county agent in the county, or with such other person as the Secretary may designate) of persons desiring to finance the acquisition of farms in the county by means of a loan from the Secretary under this title.

"(2) Examine and appraise farms in the county with respect to which an application for a loan is made.

"(b) If the committee finds that an applicant is eligible to receive the benefits of this title, that by reason of his character, ability, and experience he is likely successfully to carry out undertakings required of him under a loan which may be made under this title, and that the farm with respect to which the application is made is of such character that there is a reasonable likelihood that the making of a loan with respect thereto will carry out the purposes of this title, it shall so certify to the Secretary. The committee shall also certify to the Secretary the amount which the committee finds is the reasonable value of the farm.

"(c) No certification under this section shall be made with respect to any farm in which any member of the committee or any person related to such member within the third degree of consanguinity or affinity has any property interest, direct or indirect, or in which they or either of them have had such interest within one year prior to the date of certification.

"(d) No loan shall be made to any person or with respect to any farm unless certification as required under this section has been made with respect to such person and such farm by the committee.

"TERMS OF LOANS"

"SEC. 3. (a) Loans made under this title shall be in such amount (not in excess of the amount certified by the County Committee to be the value of the farm) as may be necessary to enable the borrower to acquire the farm and for necessary repairs and improvements thereon, and shall be secured by a first mortgage or deed of trust on the farm.

"(b) The instruments under which the loan is made and security given therefor shall—

"(1) Provide for the repayment of the loan within an agreed period of not more than forty years from the making of the loan.

"(2) Provide for the payment of interest on the unpaid balance of the loan at the rate of 3 per centum per annum.

"(3) Provide for the repayment of the unpaid balance of the loan, together with interest thereon, in installments in accordance with amortization schedules prescribed by the Secretary.

"(4) Be in such form and contain such covenants as the Secretary shall prescribe to secure the payment of the unpaid balance of the loan, together with interest thereon, to protect the security, and to assure that the farm will be maintained in repair, and waste and exhaustion of the farm prevented, and that such proper farming practices as the Secretary shall prescribe will be carried out.

"(5) Provide that the borrower shall pay taxes and assessments on the farm to the proper taxing authorities, and insure and pay for insurance on farm buildings.

"(6) Provide that upon the borrower's assigning, selling, or otherwise transferring the farm, or any interest therein, without the consent of the Secretary, or upon default in the performance of, or upon any failure to comply with, any covenant or condi-

tion contained in such instruments, or upon involuntary transfer or sale, the Secretary may declare the amount unpaid immediately due and payable, and that, without the consent of the Secretary, no final payment shall be accepted, or release of the Secretary's interest be made, less than five years after the making of the loan.

"(c) Except as provided in paragraph (6) of subsection (b), no instrument provided for in this section shall prohibit the prepayment of any sum due under it.

"(d) No provision of section 75, as amended, of the Act entitled 'An Act to establish a uniform system of bankruptcy throughout the United States', approved July 1, 1898 (U. S. C., 1934 ed., title 11, sec. 203; Supp. II, title 11, sec. 203), otherwise applicable in respect of any indebtedness incurred under this title by any beneficiary thereof, shall be applicable in respect of such indebtedness until such beneficiary has repaid at least 15 per centum thereof.

"EQUITABLE DISTRIBUTION OF LOANS"

"SEC. 4. In making loans under this title, the amount which is devoted to such purpose during any fiscal year shall be distributed equitably among the several States and Territories on the basis of farm population and the prevalence of tenancy, as determined by the Secretary.

"AVOIDANCE OF PRODUCTION EXPANSION"

"SEC. 5. In carrying out this title, the Secretary shall give due consideration to the desirability of avoiding the expansion of production for market of basic commodities where such expansion would defeat the policy of Congress as set forth in section 7 (a) (5) of the Soil Conservation and Domestic Allotment Act, as amended, and shall, so far as practicable, assist beneficiaries of the program under this title to become established upon lands now in cultivation.

"APPROPRIATION"

"SEC. 6. To carry out the provisions of this title, there is authorized to be appropriated not to exceed \$10,000,000 for the fiscal year ending June 30, 1938, not to exceed \$25,000,000 for the fiscal year ending June 30, 1939, and not to exceed \$50,000,000 for each fiscal year thereafter. Not more than 5 per centum of the sums appropriated for any fiscal year in pursuance of this section shall be available for administrative expenses in carrying out this title during such fiscal year.

"TITLE II—REHABILITATION LOANS"

"BORROWERS AND TERMS"

"SECTION 21. (a) Out of the funds made available under section 23, the Secretary shall have power to make loans to eligible individuals for the purchase of livestock, farm equipment, supplies, and for other farm needs (including minor improvements and minor repairs to real property), and for the refinancing of indebtedness, and for family subsistence.

"(b) Loans made under this section shall bear interest at a rate not in excess of 3 per centum per annum, and shall have maturities not in excess of five years, and may be renewed. Such loans shall be payable in such installments as the Secretary may provide in the loan agreement. All loans made under this title shall be secured by a chattel mortgage, a lien on crops, and an assignment of proceeds from the sale of agricultural products, or by any one or more of the foregoing.

"(c) Only farm owners, farm tenants, farm laborers, sharecroppers, and other individuals who obtain, or who recently obtained, the major portion of their income from farming operations, and who cannot obtain credit on reasonable terms from any federally incorporated lending institution, shall be eligible for loans under this section.

"DEBT ADJUSTMENT"

"SEC. 22. The Secretary shall have power to assist in the voluntary adjustment of indebtedness between farm debtors and their creditors and may cooperate with and pay the whole or part of the expenses of State, Territorial, and local agencies and committees engaged in such debt adjustment. He is also authorized to continue and carry out undertakings with respect to farm debt adjustment uncompleted at the time when appropriations for the purpose of this section are first available. Services furnished by the Secretary under this section shall be without charge to the debtor or creditor.

"APPROPRIATION"

"SEC. 23. (a) For the fiscal year ending June 30, 1938, the balances of funds available to the Secretary for loans and relief to farmers, pursuant to Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937, which are unexpended on June 30, 1937, are authorized to be appropriated to carry out the provisions of this title.

"(b) The President is authorized to allot to the Secretary, out of appropriations made for relief or work relief for any fiscal year ending prior to July 1, 1939, such sums as he determines to be necessary to carry out the provisions of this title and to enable the Secretary to carry out such other forms of rehabilitation of individuals eligible under this title to receive loans as may be authorized by law and designated in the Executive order directing the allotment.

"TITLE III—RETIREMENT OF SUBMARGINAL LANDS"

"PROGRAM"

"SECTION 31. The Secretary is authorized and directed to develop a program of land conservation and land utilization, including the retirement of lands which are submarginal or not primarily suitable for cultivation, in order thereby to correct maladjustments in land use, and thus assist in controlling soil erosion, reforestation,

preserving natural resources, mitigating floods, preventing impairment of dams and reservoirs, conserving surface and subsurface moisture, protecting the watersheds of navigable streams, and protecting the public lands, health, safety, and welfare.

"POWERS UNDER LAND PROGRAM

"SEC. 32. To effectuate the program provided for in section 31, the Secretary is authorized—

"(a) To acquire by purchase, gift, or devise, or by transfer from any agency of the United States or from any State, Territory, or political subdivision, submarginal land and land not primarily suitable for cultivation, and interests in and options on such land. Such property may be acquired subject to any reservations, outstanding estates, interests, easements, or other encumbrances which the Secretary determines will not interfere with the utilization of such property for the purposes of this title.

"(b) To protect, improve, develop, and administer any property so acquired and to construct such structures thereon as may be necessary to adapt it to its most beneficial use.

"(c) To sell, exchange, lease, or otherwise dispose of, with or without a consideration, any property so acquired, under such terms and conditions as he deems will best accomplish the purposes of this title, but any sale, exchange, or grant shall be made only to public authorities and agencies and only on condition that the property is used for public purposes. The Secretary may recommend to the President other Federal, State, or Territorial agencies to administer such property, together with the conditions of use and administration which will best serve the purposes of a land-conservation and land-utilization program, and the President is authorized to transfer such property to such agencies.

"(d) With respect to any land, or any interest therein, acquired by, or transferred to, the Secretary for the purposes of this title, to make dedications or grants, in his discretion, for any public purpose, and to grant licenses and easements upon such terms as he deems reasonable.

"(e) To cooperate with Federal, State, Territorial, and other public agencies in developing plans for a program of land conservation and land utilization, to conduct surveys and investigations relating to conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this title, and to disseminate information concerning these activities.

"(f) To make such rules and regulations as he deems necessary to prevent trespasses and otherwise regulate the use and occupancy of property acquired by, or transferred to, the Secretary for the purposes of this title, in order to conserve and utilize it or advance the purposes of this title. Any violation of such rules and regulations shall be punished as prescribed in section 5388 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 18, sec. 104).

"PAYMENTS TO COUNTIES

"SEC. 33. As soon as practicable after the end of each calendar year, the Secretary shall pay to the county in which any land is held by the Secretary under this title, 25 per centum of the net revenues received by the Secretary from the use of the land during such year. In case the land is situated in more than one county, the amount to be paid shall be divided equitably among the respective counties. Payments to counties under this section shall be made on the condition that they are used for school or road purposes, or both. This section shall not be construed to apply to amounts received from the sale of land.

"APPROPRIATION

"SEC. 34. To carry out the provisions of this title, there is authorized to be appropriated not to exceed \$10,000,000 for the fiscal year ending June 30, 1938, and not exceed \$20,000,000 for each of the two fiscal years thereafter.

"TITLE IV—GENERAL PROVISIONS

"FARMERS' HOME CORPORATION

"SECTION 40. (a) There is hereby created as an agency, of and within the Department of Agriculture, a body corporate with the name 'Farmers' Home Corporation' (in this Act called the Corporation). The principal office of the Corporation shall be located in the District of Columbia, but there may be established agencies or branch offices elsewhere in the United States under rules and regulations prescribed by the Board of Directors.

"(b) The Secretary shall have power to delegate to the Corporation such powers and duties conferred upon him under title I or title II, or both, and such powers under title IV as relate to the exercise of the powers and duties so delegated, as he deems may be necessary to the efficient carrying out of the purposes of such titles and may be executed by the Corporation, and to transfer to the Corporation such funds available for such purposes as he deems necessary. In connection with and in the exercise of such powers and duties so delegated, all provisions of this Act relating to the powers and duties of, and limitations upon, the Secretary shall apply to the Corporation in the same manner as to the Secretary, and the term 'Secretary' shall be construed to include 'Corporation.'

"(c) The Corporation shall have a nominal capital stock in an amount determined and subscribed for by the Secretary. Receipts for payments for or on account of such stock shall be issued by the Corporation to the Secretary and shall be evidence of the stock ownership of the United States.

"(d) The management of the Corporation shall be vested in a board of directors (in this Act called the Board) subject to the general supervision of the Secretary. The Board shall consist of three persons employed in the Department of Agriculture who shall be designated by the Secretary. Vacancies in the Board, so

long as there are two members in office, shall not impair the powers of the Board to execute its functions and two of the members in office shall constitute a quorum for the transaction of business. The directors, appointed as hereinbefore provided, shall receive no additional compensation for their services as such directors but may be allowed travel and subsistence expenses when engaged in business of the Corporation outside of the District of Columbia.

"(e) The Board may select, subject to the approval of the Secretary, an administrator, who shall be the executive officer of the Corporation, with such power and authority as may be conferred upon him by the Board.

"(f) The Corporation—

"(1) Shall have succession in its corporate name;

"(2) May adopt, alter, and use a corporate seal, which shall be judicially noticed;

"(3) May sue and be sued in its corporate name in any court of competent jurisdiction, State or Federal: *Provided*, That the prosecution and defense of all litigation to which the Corporation may be a party shall be conducted under the supervision of the Attorney General, and the Corporation shall be represented by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such other attorney or attorneys as may, under the law, be designated by the Attorney General: *And provided further*, That no attachment, injunction, garnishment, or other similar process, mesne or final, shall be issued against the Corporation or its property;

"(4) May adopt, amend, and repeal bylaws, rules, and regulations governing the manner in which its business may be conducted and the powers vested in it may be exercised and enjoyed;

"(5) Shall be entitled to the free use of the United States mails in the same manner as other executive agencies of the Government;

"(6) Shall have such powers as may be necessary or appropriate for the exercise of the powers vested in the Corporation (including, but subject to the limitations of this Act, the power to make contracts, and to purchase or lease, and to hold or dispose of, such real and personal property as it deems necessary) and all such incidental powers as are customary in corporations generally. The Board shall define the authority and duties of the officers and employees of the Corporation, delegate to them such of the powers vested in the Corporation as it may determine, and require bonds of such of them as it may designate and fix the penalties and pay the premiums of such bonds.

"(g) Insofar as applicable, the benefits of the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, shall extend to employees of the Corporation.

"(h) All money of the Corporation not otherwise employed may be deposited with the Treasurer of the United States or in any bank approved by the Secretary of the Treasury, subject to withdrawal by the Corporation at any time, or with the approval of the Secretary of the Treasury may be invested in obligations of the United States. Subject to the approval of the Secretary of the Treasury, the Federal Reserve banks are hereby authorized and directed to act as depositories, custodians, and fiscal agents for the Corporation in the performance of its powers.

"(i) The Corporation, including its franchises, its capital, reserves, and surplus and its income and property shall, except as otherwise provided in section 50 (a), be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision.

"(j) The Corporation shall at all times maintain complete and accurate books of account and shall file annually with the Secretary a complete report as to the business of the Corporation.

"ADMINISTRATIVE POWERS OF SECRETARY AND CORPORATION

"SEC. 41. For the purposes of this Act, the Secretary shall have power to—

"(a) Appoint (without regard to the civil-service laws and regulations) and fix the compensation of such officers and employees as may be necessary. No person (except as to positions requiring technical training and experience for which no one possessing the requisite technical training and experience is available within the area) shall be appointed or transferred under this Act to any position in an office in a State or Territory the operations of which are confined to such State or Territory or a portion thereof, or in a regional office outside the District of Columbia the operations of which extend to more than one, or portions of more than one, State or Territory, unless such person has been an actual and bona-fide resident of the State or Territory, or region, as the case may be, in which such office is located, for a period of not less than one year next preceding the appointment or transfer to such position (disregarding periods of residence outside such State or Territory, or region, as the case may be, while in the Federal Government service). If the operations of the office are confined to a portion of a single State or Territory, the Secretary in making appointments or transfers to such office shall, except in the classes of cases exempted from the preceding sentence, appoint or transfer only persons who are residents of such portion of the State or Territory: *Provided*, That hereafter, wherever practicable, all appointments of persons to the Federal service for employment within the District of Columbia, under the provisions of this Act, whether such appointments be within the classified civil service or otherwise, shall be apportioned among the several States and the District of Columbia upon the basis of population as ascertained at the last preceding census.

"(b) Accept and utilize voluntary and uncompensated services, and, with the consent of the agency concerned, utilize the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, Territory, or political subdivision.

"(c) Within the limits of appropriations made therefor, make necessary expenditures for personal services and rent at the seat of government and elsewhere; contract stenographic reporting services; purchase and exchange of supplies and equipment, law books, books of reference, directories, periodicals, newspapers, and press clippings; travel and subsistence expenses, including the expense of attendance at meetings and conferences; purchase, operation, and maintenance, at the seat of government and elsewhere, of motor-propelled passenger-carrying and other vehicles; printing and binding; and for such other facilities and services as he may from time to time find necessary for the proper administration of this Act.

"(d) Make contracts for services and purchases of supplies without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5) when the aggregate amount involved is less than \$300.

"(e) Make payments prior to audit and settlement by the General Accounting Office.

"(f) Acquire land and interests therein without regard to section 355 of the Revised Statutes, as amended. This subsection shall not apply with respect to the acquisition of land or interests in land under title III.

"(g) Compromise claims and obligations arising under, and adjust and modify the terms of mortgages, leases, contracts, and agreements entered into pursuant to, this Act, as circumstances may require.

"(h) Collect all claims and obligations arising under this Act, or under any mortgage, lease, contract, or agreement entered into pursuant to this Act, and, if in his judgment necessary and advisable, to pursue the same to final collection in any court having jurisdiction: *Provided*, That the prosecution and defense of all litigation under this Act shall be conducted under the supervision of the Attorney General, and the legal representation shall be by the United States Attorneys for the districts, respectively, in which such litigation may arise, or by such other attorney or attorneys as may, under the law, be designated by the Attorney General.

"(i) Make such rules and regulations as he deems necessary to carry out this Act.

"COUNTY COMMITTEE

"Sec. 42. (a) The Secretary is authorized and directed to appoint in each county in which activities are carried on under title I a county committee composed of three farmers residing in the county.

"(b) Each member of the committee shall be allowed compensation at the rate of \$3 per day while engaged in the performance of duties under this Act but such compensation shall not be allowed with respect to more than five days in a month. In addition, they shall be allowed such amounts as the Secretary may prescribe for necessary traveling and subsistence expenses.

"(c) The committee shall meet on the call of the county agent in the county, or on the call of such other person as the Secretary may designate. Two members of the committee shall constitute a quorum. The Secretary shall prescribe rules governing the procedure of the committees, furnish forms and equipment necessary for the performance of their duties, and authorize and provide for the compensation of such clerical assistants as he deems may be required by any committee.

"(a) Committees established under this Act shall, in addition to the duties specifically imposed under this Act, perform such other duties under this Act as the Secretary may require of them.

"RESETTLEMENT PROJECTS

"Sec. 43. The Secretary is authorized to continue to perform such of the functions vested in him pursuant to Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937, and pursuant to Public Act Numbered 845, approved June 29, 1936 (49 Stat. 2035), as shall be necessary only for the completion and administration of those resettlement projects, rural rehabilitation projects for resettlement purposes, and land development and land utilization projects, for which funds have been allotted by the President, and the balances of funds available to the Secretary for said purposes which are unexpended on June 30, 1937, are authorized to be appropriated to carry out said purposes: *Provided*, That any land held by the United States under the supervision of the Secretary pursuant to said Executive orders may where suitable be utilized for the purposes of title I of this act, and the Secretary may sell said land and make loans for the necessary improvement thereof to such individuals and upon such terms as shall be in accordance with the provisions of said title.

"GENERAL PROVISIONS APPLICABLE TO SALE

"Sec. 44. The sale or other disposition of any real property acquired by the Secretary pursuant to the provisions of this Act, or any interest therein, shall be subject to the reservation by the Secretary on behalf of the United States of not less than an undivided three-fourths of the interest of the United States in all coal, oil, gas, and other minerals in or under such property.

"TRANSFER OF AVAILABLE LANDS

"Sec. 45. The President may at any time in his discretion transfer to the Secretary or the Corporation any right, interest, or title held by the United States, and under the supervision of the Secretary, in any land which the President shall find suitable for the purposes of this Act, and the Secretary or the Corporation, as

the case may be, may use and dispose of such land in such manner, and subject to such terms and conditions, as the President determines will best carry out the objectives of this Act.

"TRANSACTIONS WITH CORPORATIONS

"Sec. 46. Nothing in this Act shall be construed to authorize the making of any loan, or the sale or other disposition of real property or any interest therein, to any private corporation, for farming purposes.

"SURVEYS AND RESEARCH

"Sec. 47. The Secretary is authorized to conduct surveys, investigations, and research relating to the conditions and factors affecting, and the methods of accomplishing most effectively, the purposes of this Act, and may publish and disseminate information pertinent to the various aspects of his activities.

"VARIABLE PAYMENTS

"Sec. 48. The Secretary may provide for the payment of any obligation or indebtedness to him under this Act under a system of variable payments under which a surplus above the required payment will be collected in periods of above-normal production or prices and employed to reduce payments below the required payment in periods of subnormal production or prices.

"SET-OFF

"Sec. 49. No set-off shall be made against any payment to be made by the Secretary to any person under the provisions of this Act, by reason of any indebtedness of such person to the United States, and no debt due to the Secretary under the provisions of this Act shall be set off against any payments owing by the United States, unless the Secretary shall find that such set-off will not adversely affect the objectives of this Act.

"TAXATION

"Sec. 50. (a) All property which is being utilized to carry out the purposes of title I or title II of this Act (other than property used solely for administrative purposes) shall, notwithstanding that legal title to such property remains in the Secretary or the Corporation, be subject to taxation by the State, Territory, District, dependency, and political subdivision concerned, in the same manner and to the same extent as other similar property is taxed.

"(b) All property to which subsection (a) of this section is inapplicable which is held by the Secretary or the Corporation pursuant to this Act shall be exempt from all taxation now or hereafter imposed by the United States or any State, Territory, District, dependency, or political subdivision, but nothing in this subsection shall be construed as affecting the authority or duty of the Secretary under any other law to make payments in respect of any such property in lieu of taxes.

"BID AT FORECLOSURE

"Sec. 51. The Secretary is authorized and empowered to bid for and purchase at any foreclosure or other sale, or otherwise to acquire property pledged or mortgaged to secure any loan or other indebtedness owing under this Act; to accept title to any property so purchased or acquired; to operate or lease such property for such period as may be deemed necessary or advisable to protect the investment therein; and to sell or otherwise dispose of such property so purchased or acquired upon such terms and for such considerations as the Secretary shall determine to be reasonable, but subject to the reservation of the rights provided for in section 44.

"PENALTIES

"Sec. 52. (a) Whoever makes any material representation, knowing it to be false, for the purpose of influencing in any way the action of the Corporation upon any application, advance, discount, purchase, or repurchase agreement, contract of sale, lease, or loan, or any change or extension of any of the same by renewal, deferment of action or otherwise, or the acceptance, release, or substitution of security therefor, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both.

"(b) Whoever, being connected in any capacity with the Corporation, (1) embezzles, abstracts, purloins, or willfully misapplies any moneys, funds, securities, or other things of value, whether belonging to the Corporation or pledged or otherwise entrusted to it; or (2) with intent to defraud the Corporation, or any other body politic or corporate, or any individual, or to deceive, any officer, auditor, or examiner of the Corporation, makes any false entry in any book, report, or statement of, or to, the Corporation or draws any order, or issues, puts forth, or assigns any note or other obligation or draft, mortgage, judgment, or decree thereof; or (3) with intent to defraud the Corporation, participates or shares in or receives directly or indirectly any money, profit, property, or benefits through any transaction, loan, commission contract, or any other act of the Corporation, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than five years, or both.

"(c) Whoever willfully shall conceal, remove, dispose of, or convert to his own use or to that of another, any property mortgaged or pledged to, or held by, the Corporation, as security for any obligation, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both.

"(d) The provisions of sections 112, 113, 114, 115, 116, and 117 of the Criminal Code of the United States (U. S. C., title 18, secs. 202-207, inclusive), insofar as applicable, are extended to apply to contracts or agreements of the Corporation, which for the purposes hereof shall be held to include advances, loans, discounts, purchase

and repurchase agreements, contracts of sale, and leases; extensions and renewals thereof; and acceptances, releases, and substitutions of security therefor.

"(e) Whoever conspires with another to accomplish any of the acts made unlawful by the preceding provisions of this section shall, on conviction thereof, be subject to the same fine or imprisonment, or both, as is applicable in the case of conviction for doing such unlawful act.

"FEES AND COMMISSIONS PROHIBITED

"SEC. 53. No Federal officer, attorney, or employee shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this Act other than such salary, fee, or other compensation as he may receive as such officer, attorney, or employee. No member of a county committee established under section 42 shall knowingly make or join in making any certification prohibited by section 2 (c). Any person violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than \$1,000 or imprisoned for not more than one year, or both.

"EXTENSION OF TERRITORIES

"SEC. 54. The provisions of this Act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico. In the case of Alaska and Puerto Rico the term "county" as used in this Act shall be deemed synonymous with the Territory, or any subdivision thereof as may be designated by the Secretary, and payments under section 33 of this Act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision.

"SEPARABILITY

"SEC. 55. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby."

That the House recede from its disagreement to the amendment to the title of the bill.

J. H. BANKHEAD,

J. P. POPE,

LYNN J. FRAZIER,

Managers on the part of the Senate.

MARVIN JONES,

WALL DOXEY,

CLIFFORD R. HOPE,

Managers on the part of the House.

The PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

Mr. McNARY. Mr. President, it was rather understood that general legislation would not be considered today. I have no objection to proceeding to the consideration of the conference report if it will not lead to debate.

Mr. BANKHEAD. I will say to the Senator that if it leads to debate, I will promptly withdraw it.

Mr. McNARY. I reserve the right to object later if it should lead to debate.

Mr. BARKLEY. Mr. President, if the Senator from Alabama will yield to me, I should like to make a general statement.

Mr. BANKHEAD. I yield.

Mr. BARKLEY. It was my understanding and the feeling of us all that there would be no legislative business transacted today or tomorrow or at any time until after the funeral of our late beloved colleague. The Senator from Alabama has illness in his family and desires to go home. With the understanding that the conference report will lead to no discussion, and that there will be no objection to its consideration, I shall not object; but I should like to have it understood that my statement applies to any matter which may be brought before the Senate.

Mr. McNARY. I made such a reservation. So I think we might go forward.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

CHARLES CARROLL OF CARROLLTON BICENTENARY COMMISSION

Mr. TYDINGS. Mr. President, it is with great reluctance that I ask unanimous consent for the present consideration of Calendar No. 908, being Senate Joint Resolution 171, dealing with the Charles Carroll of Carrollton Bicentenary Commission. The joint resolution does not propose new legislation. An appropriation has been made and a commission has been created, but, due to the fact that some portraits have to come from Italy to Baltimore for exhibition there, and as the time limit is very short, the Commission is held up in the most important part of its work. I ask unanimous

consent that the joint resolution may be considered at this time.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the joint resolution (S. J. Res. 171) relating to the employment of personnel and expenditures made by the Charles Carroll of Carrollton Bicentenary Commission was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That for the purpose of carrying out its functions under the joint resolution of June 15, 1936, the Charles Carroll of Carrollton Bicentenary Commission, or the chairman acting for the Commission, is authorized to fix the compensation of such officers and employees as may be necessary without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States, and to determine its necessary expenditures and the manner in which they shall be incurred, allowed, and paid, without regard to the provisions of any other laws governing the expenditure of public funds; and be it further

Resolved, That the Commission be authorized to borrow the services of employees from other Government agencies.

APPROPRIATIONS FOR CIVIL FUNCTIONS OF WAR DEPARTMENT— CONFERENCE REPORT

Mr. COPELAND. Mr. President, I desire to ask unanimous consent for the immediate consideration of the conference report on the bill making appropriations for certain non-military activities of the War Department. May I do that now? I may say that there is no disagreement between the House and the Senate as to any provision except one, and that has to do with amendment no. 15. That amendment relates to the pay of five retired officers of the Regular Army assigned to active duty at the United States Soldiers' Home. The question was submitted to the House, and the House disagreed to this amendment. I have talked with the chairman of the House committee, who says there is no use whatever in making any further attempt to obtain favorable action on that side. I think that is true, because, as a matter of fact, it was a controversial question in the committee.

Mr. KING. Mr. President, will the Senator yield?

Mr. COPELAND. I yield.

Mr. KING. Is it pertinent to the proposed legislation to have included in it a provision for the salaries or increase of compensation of the officers referred to? Is that germane to the main purposes of the bill?

Mr. COPELAND. Yes; because the bill makes appropriations for certain civil functions administered by the War Department, and among such functions is the operation of the United States Soldiers' Home. It seems that five retired officers of the Army are on duty there. They get their retired pay. They have quarters and subsistence. But at the same time personally I feel, and I think it is the feeling of all members of the Senate committee, that these men are on active duty, performing active service, and ought to be paid accordingly. Of course, they have certain emoluments and certain privileges which they get, perhaps, in some degree, because of this service. The matter was discussed at some length in the conference committee. There was disagreement there. When the matter went to the House, the House Members, with only three exceptions, voted against it.

Mr. WALSH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. WALSH. The regular order of business now before the Senate is the presentation of petitions and memorials. Many of us have bills to introduce and reports to make. May I suggest that the Senator wait until morning business shall have been disposed of?

Mr. COPELAND. I shall be very glad to do that. I shall wait and take up the matter again after morning business shall have been concluded.

COMMERCIAL AIRPORT FOR THE DISTRICT OF COLUMBIA

The PRESIDENT pro tempore laid before the Senate a letter from the chairman of the District of Columbia Airport Commission (Hon. WILLIAM H. KING, senior Senator from Utah), submitting, pursuant to law, the report of the Commission concerning potential sites for commercial airports in and the establishment of a commercial airport for the District of Columbia, which was ordered to lie on the table.

ACTS OF THE COMMONWEALTH OF MASSACHUSETTS

The PRESIDENT pro tempore laid before the Senate certified copies of the following acts of the Legislature of the State of Massachusetts, which were referred to the Committee on the Judiciary:

(Chap. 304.) An act making uniform the procedure on interstate rendition; and

(Chap. 307.) An act providing for the entry of this Commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offenses who are on probation or parole.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the City Council of Lynn, Mass., favoring the granting of an annuity during her natural life to the widow of Hon. William P. Connery, Jr., late a Representative from the State of Massachusetts, which was referred to the Committee on Pensions.

He also laid before the Senate a letter in the nature of a petition from Charles X. Newman, of Oakland, Calif., praying that legislative action be taken to reverse the alleged order of California W. P. A. officials to their project supervisors "to lay off the least employable first" and "to keep the best men on W. P. A.", which was ordered to lie on the table.

He also laid before the Senate resolutions adopted at the Twenty-eighth Annual Conference of the National Association for the Advancement of Colored People held at Detroit, Mich., favoring the enactment of the so-called Wagner-Van Nuys-Gavagan antilynching bill, and other measures of beneficial interest to the Negro race, which were ordered to lie on the table.

Mr. COPELAND presented a resolution adopted by the Home Owners and Taxpayers' Association of Staten Island, Inc., of Staten Island, N. Y., protesting against the present foreclosure policy of the Home Owners' Loan Corporation, and favoring the prompt enactment of legislation for the relief of home owners, which was referred to the Committee on Banking and Currency.

He also presented resolutions adopted by Robert Morris Council, No. 100, of New York City, and Banksville Council, No. 86, of Bedford, both of the Junior Order United American Mechanics, in the State of New York, protesting against the enactment of the bill (H. R. 6391) to authorize the prompt deportation of criminals and certain other aliens, and for other purposes, which were referred to the Committee on Immigration.

He also presented a resolution adopted by the Twenty-sixth Annual Grand Chapter of the Kappa Alpha Psi Fraternity held in Washington, D. C., favoring the prompt enactment of pending antilynching legislation, which was ordered to lie on the table.

Mr. REYNOLDS presented the following joint resolution of the Legislature of the State of North Carolina, which was ordered to lie on the table:

Joint resolution endorsing the recommendations of the President of the United States of February 5, 1937, for reforms in the Federal judicial system and requesting the Senators and Members of Congress from North Carolina to support the measure presented to carry out this purpose

Whereas Franklin D. Roosevelt, President of the United States, in a message to Congress on February 5, 1937, recommended the enactment of a measure making important changes in the Federal judicial system, including a provision which would empower the President, when any judge of the United States Supreme Court, appointed to hold office during good behavior, has hereafter attained the age of 70 years after at least 10 years of service and within 6 months thereafter has neither resigned nor retired, to nominate and with the consent of the Senate to appoint one additional judge for such Court: *Provided*, That this increase in the number of judges so appointed shall not result in more than 15 members of the Supreme Court of the United States, or more than two additional judges of the circuit court of appeals or other specified court; and

Whereas, by reason of the recommendations of the President of the United States to Congress, and action upon the bill presented by the President for the purpose of carrying out his recommendations, presents an issue of great national importance in which the people of North Carolina and all other people of the United States are vitally concerned; and

Whereas the people of the State of North Carolina are strongly supporting the President of the United States in his recommendations to Congress and a great majority of the people of this State firmly believe that the enactment of such measure is vital to the future happiness and welfare of our people; and

Whereas the members of the General Assembly of North Carolina desire to express to the President of the United States and to our Representatives in Congress full endorsement and approval of the measure presented by the President to Congress, and to urge Members of Congress from North Carolina to support the same: Now, therefore, be it

Resolved by the house of representatives (the senate concurring):

SECTION 1. That the General Assembly of North Carolina does hereby fully endorse and approve the recommendations made by the President of the United States, Franklin D. Roosevelt, in his message to Congress of February 5, 1937, and that we do hereby recommend to and urge upon the Members of Congress from North Carolina that they shall vote for and support the measure presented to Congress to carry out said recommendations.

SEC. 2. That duly certified copies of this joint resolution shall be immediately forwarded to the President of the United States and to the Members of Congress from North Carolina, and the Members of Congress from North Carolina are requested to present this joint resolution to the Congress of the United States promptly after the receipt thereof.

SEC. 3. That this resolution shall be in force and effect from and after its ratification.

[In connection with the presentation of the foregoing joint resolution, Mr. REYNOLDS asked and obtained leave to have printed in the RECORD a resolution of the Bar Association of Hertford County, N. C., and an address by L. J. Lawrence, president of said bar association, relative to the reorganization of the Federal judiciary, which appear in the Appendix.]

AGRICULTURAL ADJUSTMENT LEGISLATION

Mr. REYNOLDS. Mr. President, I have before me and present a letter from E. F. Arnold, executive secretary of the North Carolina Farm Bureau Federation, of Raleigh, N. C., together with a copy of my answer thereto, and a petition signed by some 3,000 farmers of North Carolina praying for the enactment of the so-called Flannagan bill, being the bill (H. R. 7577) to provide an adequate and balanced flow of the major agricultural commodities in interstate and foreign commerce, and for other purposes. I ask that the letters and petition be referred to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. The letters and petition referred to by the Senator from North Carolina will be received and referred to the Committee on Agriculture and Forestry.

CONNECTICUT VALLEY COMPACT

Mr. LONERGAN presented copy of a compact approved by the States of Connecticut, Massachusetts, New Hampshire, and Vermont for the control of floods in the Connecticut River Valley, which was referred to the Committee on Commerce to accompany the joint resolution (S. J. Res. 177) consenting to an interstate compact relating to flood control in the Connecticut River Valley, heretofore referred to that committee.

CONNECTICUT RIVER VALLEY FLOOD CONTROL—ACTS OF LEGISLATURE OF VERMONT

Mr. AUSTIN. I send to the desk two acts passed by the Legislature of Vermont, the first being a copy of no. 224 of the Acts of 1937, entitled "An act ratifying a proposed agreement or compact between the State of Vermont and the Commonwealth of Massachusetts, the State of Connecticut and the State of New Hampshire, relating to the creation of the Connecticut River Valley Flood Control Commission, providing for flood control in the Connecticut River Basin, and for carrying out the provisions of said agreement or compact", approved April 10, 1937; and the other, no. 230 of the Acts of 1937, entitled "An act to provide for cooperation by the State with the Connecticut River Valley Flood Control Commission in the acquisition of lands, easements, and rights-of-way essential for flood-control purposes, and to enable the State to comply with the provisions of the compact entered into by it with the Commonwealth of Massachusetts and the States of Connecticut and New Hampshire, and for other purposes", approved April 10, 1937.

I ask that the acts be referred to the Committee on Commerce.

The PRESIDENT pro tempore. Without objection, the reference will be made.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 2159. A bill for the relief of George R. Slate (Rept. No. 888); and

S. 2751. A bill to authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the West Point Military Reservation, N. Y., for the construction thereon of certain public buildings, and for other purposes (Rept. No. 889).

Mr. SHEPPARD also, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 607. A bill to authorize improvement of navigation facilities on the Columbia River, and for other purposes (Rept. No. 890);

H. R. 6636. A bill granting the consent of Congress to the county of Carroll, in the State of Indiana, to construct, maintain, and operate a free highway bridge across the Wabash River at or near Lockport, Ind. (Rept. No. 891); and

H. R. 6920. A bill granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Mass., or any two of them, or any one of them, to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell (Rept. No. 892).

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (S. 1971) to provide for the recognition by the Government of the United States of the academic standing of military and naval schools under its jurisdiction, reported it with an amendment and submitted a report (No. 893) thereon.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 153) providing for consideration of a recommendation for decoration of Sgt. Fred W. Stockham, deceased, reported it without amendment and submitted a report (No. 894) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (S. 126) authorizing the President to present, in the name of Congress, a medal of honor to Harold R. Wood, reported it with amendments and submitted a report (No. 895) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 6402. A bill for the relief of Emory M. McCool, United States Navy, retired (Rept. No. 896); and

H. R. 7641. A bill to authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Madison, Wis., September 5 to 10, inclusive, 1937 (Rept. No. 897).

Mr. WALSH also, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 6899) to repeal the limitation on the sale price on the old post-office and courthouse site and building at Fourth and Chestnut Streets, Louisville, Ky., reported it without amendment and submitted a report (No. 898) thereon.

Mr. McCARRAN, from the Committee on the Judiciary, to which was referred the bill (S. 2215) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto, reported it without amendment and submitted a report (No. 899) thereon.

Mr. BROWN of Michigan, from the Committee on Finance, to which was referred the bill (H. R. 6906) to impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording, reported it with amendments and submitted a report (No. 900) thereon.

INTERFERENCE WITH UNITED STATES MAILS—MINORITY VIEWS

Mr. BRIDGES, as a member of the Committee on Post Offices and Post Roads, submitted the views of the minority on the resolution (S. Res. 140) authorizing an investigation of the delivery or nondelivery of mail to establishments where industrial strife is in progress (submitted by Mr. BRIDGES on June 7, 1937), which was ordered to be printed as part 2 of Senate Report No. 885.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. McKELLAR, from the Committee on Appropriations, reported favorably the nomination of Joseph Newman Alderson, of West Virginia, to be State administrator for West Virginia in the Works Progress Administration.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

The PRESIDENT pro tempore. The reports will be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OVERTON:

A bill (S. 2773) to authorize the issuance of an unrestricted patent to Judson M. Grimmet; to the Committee on Public Lands and Surveys.

By Mr. WHEELER:

A bill (S. 2774) to authorize the Secretary of the Interior to relinquish in favor of the Blackfeet Tribe of the Blackfeet Indian Reservation, Mont., the interest in certain land acquired by the United States under the Federal reclamation laws; to the Committee on Indian Affairs.

By Mr. WALSH:

A bill (S. 2775) to extend the jurisdiction of the United States District Court, Territory of Hawaii, over the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, Jarvis Island, and for other purposes; to the Committee on the Judiciary.

By Mr. BRIDGES:

A bill (S. 2776) to provide for the establishment of maximum hours and minimum wages in employments in or affecting interstate commerce, and for other purposes; to the Committee on Education and Labor.

By Mr. McCARRAN:

A bill (S. 2777) for the benefit of the Goshute and other Indians, and for other purposes; to the Committee on Indian Affairs.

By Mr. SHEPPARD:

A bill (S. 2778) for the relief of J. J. Collins; to the Committee on Claims.

A bill (S. 2779) granting a pension to Robert C. Wood; to the Committee on Pensions.

By Mr. GUFFEY:

A bill (S. 2780) to regulate interstate commerce in anthracite, to conserve the anthracite resources of the United States, to establish an anthracite reserve, to provide for the general welfare, and for other purposes; to the Committee on Mines and Mining.

By Mr. KING:

A bill (S. 2781) to provide authorization for the advancement of funds for the District of Columbia; and

A bill (S. 2782) amending the act entitled "An act to regulate the business of loaning money on security of any kind by persons, firms, corporations other than national banks, licensed brokers, trust companies, savings banks, building and loan associations, and real-estate brokers in the District of Columbia", approved February 4, 1913, as amended; to the Committee on the District of Columbia.

A bill (S. 2783) to amend the China Trade Act, 1922, as to the duration of the China Trade Act corporations; to the Committee on the Judiciary.

By Mr. COPELAND:

A bill (S. 2784) to amend section 2169 of the Revised Statutes, as amended, to permit the naturalization of natives of India of East Indian blood; to the Committee on Immigration.

A bill (S. 2785) to define certain units and to fix the standards of weights and measures of the United States; and

A bill (S. 2786) to authorize the Secretary of Commerce to exchange with the people of Puerto Rico, the Guanica Lighthouse Reservation for two adjacent plots of insular forest land under the jurisdiction of the commissioner, department of agriculture and commerce, and for other purposes; to the Committee on Commerce.

(Mr. POPE and Mr. MCGILL introduced Senate bill 2787, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. BYRD:

A bill (S. 2788) to amend the act entitled "An act for the establishment of marine schools, and for other purposes", approved March 4, 1911; to the Committee on Naval Affairs.

(Mr. BILBO introduced Senate bill 2789, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. WALSH (for himself, Mr. LODGE, Mr. BROWN of New Hampshire, and Mr. BRIDGES):

A joint resolution (S. J. Res. 178) consenting to an interstate compact relating to flood control in the Merrimack River Valley; to the Committee on Commerce.

By Mr. COPELAND:

A joint resolution (S. J. Res. 179) to authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York; to the Committee on Commerce.

PARITY PRICES FOR MAJOR AGRICULTURAL COMMODITIES

Mr. POPE. I introduce for the Senator from Kansas [Mr. MCGILL] and myself a bill for appropriate reference, and ask that certain telegrams in connection therewith from various sections of the country may be printed in the RECORD, together with a statement explanatory of the bill, in order that they may all appear in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the telegrams and statement referred to will be printed in the RECORD.

The bill (S. 2787) to provide an adequate and balanced flow of the major agricultural commodities in interstate and foreign commerce, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

The telegrams and statement presented by Mr. POPE are as follows:

JACKSON, MISS., July 13, 1937.

Senator JAMES P. POPE,

United States Senate, Washington, D. C.:

Three thousand farmers attending eight district meetings fully endorse H. R. 7577 and urge passage at present session. Resolutions from county meetings continue urging immediate action as necessary for farmers welfare in face of prospective high yields.

MISSISSIPPI FARM BUREAU FEDERATION,
H. S. JOHNSON, Secretary.

JACKSON, MISS., July 12, 1937.

EDWARD A. O'NEAL,

President, American Farm Bureau Federation,

Munsey Building, Washington, D. C.:

Eight district meetings held last week; 3,000 attendance unanimous endorsement of bill urging action now. Gigantic meeting planned State College July 27; must have you; no substitute. Wire reconsideration today.

MISSISSIPPI FARM BUREAU FEDERATION,
H. S. JOHNSON, Secretary.

PITTSFIELD, ILL., July 10, 1937.

EDWARD O'NEAL,

President, American Farm Bureau Federation,

Washington, D. C.:

Twelve hundred leaders from all counties unanimously endorse bill and urge passage by Congress now.

EARL C. SMITH,
President, Illinois Agricultural Association.

EXPLANATORY STATEMENT ON PROPOSED AGRICULTURAL ADJUSTMENT ACT OF 1937

Objectives: The bill specifies four objectives.

The first objective is parity prices to farmers for normal supplies of the five major agricultural commodities—cotton, wheat, corn, rice, and tobacco. Parity prices are those that would give these five commodities at all times the same purchasing power (with regard to articles that farmers buy) as these commodities had in the favorable pre-war base period of 1909-14. In case of tobacco the post-war period 1919-29 is used as the base period. Inasmuch as prices of articles that farmers buy reflect increases in industrial wages and in costs of living and production generally, realization of the objective of parity prices means that the farm price for each major agricultural commodity would keep pace with the rise and fall of the farmer's costs of living and production. It is a premise of the bill that over any period of years farmers would obtain a much larger income from having their selling prices keep pace with costs of living and production than from receiving, as at present, the peak prices obtainable during periods of scarcity when farmers have little on hand to sell and the depression prices obtainable during periods of overabundance when farmers have a large crop to sell.

The second objective is parity income for the farmer. This would be a net income that bears to the income of the nonagricultural population the same relation as prevailed during the base period.

The third objective is, without interfering with parity prices, to establish an ever-normal granary for each of the five major agricultural commodities. The maximum granary provided is 10 percent of the normal supply of the commodity—that is, 10 percent of a normal year's domestic consumption, exports, and commercial carry-over combined. However, it is believed that conditions will probably require the establishment by the Secretary of Agriculture in most years of an ever-normal granary of not more than 7½ percent of the normal supply.

On such a 7½-percent basis there would be established for corn, for instance, in addition to the normal carry-over of the 119,000,000 bushels, an ever-normal granary of 187,000,000 bushels, a total carry-over of 306,000,000 bushels.

Similarly, for wheat the total carryover would reach a maximum of 19,000,000 bushels of white wheat and 180,000,000 bushels of other wheat in lieu of the normal carry-over of 137,000,000 bushels; and for rice a total carry-over of 142,000,000 barrels in lieu of the normal carry-over of 550,000 barrels. For the nonfood commodities, cotton and tobacco, the ever-normal granary principle is also made applicable, although, because of the commercial practice of maintaining larger carry-overs for such commodities, the percentage increase in carry-over by reason of the ever-normal granary is correspondingly less. For instance, cotton from a normal carry-over of 5,200,000 bales would reach a total carry-over of 6,600,000 bales; dark tobacco from a normal carry-over of 182,000,000 pounds would reach a total carry-over of 207,000,000 pounds; and cigar tobacco from a normal carry-over of 243,000,000 pounds would reach a total carry-over of 271,000,000 pounds.

These carry-overs would mean that the total supply level at the beginning of each marketing year (i. e., carry-over plus current crop) sought as the supply objective of the bill under the ever-normal granary principle would be not the normal supply level of the past but a new ever-normal granary supply level as follows: Cotton, 19,600,000 bales; wheat (other than white wheat), 800,000,000 bushels; white wheat, 84,000,000 bushels; field corn, 2,681,000,000 bushels; rice, 12,420,000 barrels; dark tobacco, 362,000,000 pounds; and cigar tobacco, 406,000,000 pounds.

Under the bill the ever-normal granary is designed to make available to domestic consumers reserves that will provide adequate supplies at fair prices in years of drought, flood, or other adverse conditions, as well as in years of plenty, and also to take care of profitable exports during such periods. The ever-normal granary will also protect the consumer from abnormally high prices.

The fourth objective is to conserve our national soil resources through preventing production of surpluses for which there are no adequate markets, present or prospective. Such surpluses expend our soil fertility without producing commensurate income to the farmer or benefit to the public.

In part the bill embodies a new agricultural philosophy. It assures the farmer substantially a parity return for normal supplies of major agricultural commodities in the belief that such a return is fair to all elements of our population and that national prosperity cannot exist if our agricultural population does not share in that prosperity through prices that keep pace with industrial prices and wages. At the same time, however, the bill rejects a scarcity philosophy in favor of the advantages, both to the consumer and the farmer, of the stable and abundant supply provided by the ever-normal granary.

The bill is framed in the view that a stabilized market for corn and wheat will in large measure eliminate violent fluctuations in the cost of feedstuffs to the dairy and livestock farmers, as well as mitigate the violent fluctuations and vicious cycles in livestock and dairy production; stabilize the price for feed products for livestock; and substantially assist dairy and livestock farmers in obtaining parity income.

A stable supply under the bill will also directly benefit concerns engaged in processing major agricultural commodities or in furnishing farmers with storage and transportation facilities and production equipment and materials, and will provide more uniform employment for labor engaged in these activities.

Methods of operation: To achieve the foregoing objectives the bill directs the Secretary of Agriculture to take action along three lines. These are designed and interrelated so as to stabilize at parity the return to farmers for normal supplies of major agricultural commodities and to stabilize the total supply of each such commodity at the ever-normal granary supply level for the commodity.

These lines of action include: First, parity payments and surplus reserve loans; second, acreage diversion, storage under seal, and marketing quotas; and third, release of stocks of the commodity held off the market as security for surplus reserve loans or under marketing quotas, and reductions in the rate of tariff duty on the commodity. Each of these is described below.

In carrying out the purposes of the bill adjustment contracts (described later in this statement) are authorized to be entered into between the Secretary of Agriculture and farmers producing any of the major agricultural commodities for market and willing to cooperate with the Government. These contracting farmers are "cooperators."

Parity payments: The farmer has the burden of establishing and maintaining the ever-normal granary, and thereby enabling the Government to safeguard the consumer from inadequate supplies and unreasonable prices in the lean years. In consideration thereof, the Government provides under the bill for parity payments to the farmer. In years when the supply is not overnormal, the parity payments would bring the return to the farmer substantially up to parity. At the present time this would mean at the farm 16-cent cotton, \$1.14 wheat (not including white wheat), \$1.09 white wheat, 85-cent corn, rice \$3.77 a barrel, dark tobacco 10.2 cents a pound, cigar tobacco 13.9 cents a pound.

However, under the operation of this bill the total supply will ordinarily be above normal by reason of the presence of the supply constituting the ever-normal granary. The parity payments are graduated according to the total supply. As the total supply increases above normal, parity payments increase, but only about half as rapidly as the farm price decreases in the face of the larger supply. Therefore as the total supply, including ever-normal granary, increase above normal the return per unit to the farmer (farm price plus parity payment) decreases. In the presence, for instance, of an ever-normal granary supply of 7½ cents above normal, the parity payments would bring the return per unit to the farmer up to a maximum of about 90 percent of parity. A 5-percent ever-normal granary would result in a 92-percent parity return; a 10-percent or completely filled ever-normal granary, would result in an 87-percent parity return. In effect, the farmer and the Government share the cost of maintaining the ever-normal granary supply. This constitutes a major contribution by the farmer to the program in return for the benefits to him.

The precise maximum rate of return per unit under the bill to the farmer at the various supply levels is specified in schedule A of the bill and is designated therein as the "maximum income level." In no event will the parity payments exceed the difference between this rate and the current average farm price for the commodity throughout the year.

Parity payments are made at the close of the marketing year for the particular crop and are paid on the aggregate normal yield of the base acreage planted to the crop during such marketing year. Only cooperators are entitled to parity payments.

A cooperator is afforded a 10-percent tolerance, so that if he plants to the commodity more than 90 percent but not over 100 percent of the acreage permitted to be planted, he will receive payments on the basis of 100 percent planting. Such a tolerance allows for irregularities in sizes of fields, errors in farmers' estimates of acreage, and the like.

Surplus reserve loans: For corn and wheat (other than white wheat) surplus reserve loans are available at all supply levels. The rate of loan, like the parity payments, is graduated according to the total supply of the commodity on hand at the beginning of the year. If such supply is not in excess of normal, loans may be had up to 85 percent of the parity price of the commodity. As the total supply increases the rate of loan decreases until when the total supply is 114 percent or more above normal the loan rate is 52 percent of parity. Also, at this supply level surplus reserve loans become available at the same rate for the major agricultural commodities on an export basis, i. e., cotton, tobacco, rice, and white wheat.

The loans serve several purposes. In the case of corn and wheat (other than white wheat) the loans, being available at all supply levels, will at all times have a stabilizing effect on the farm price. As a result, the difference between the farm price and the maximum rate of return to the farmer is minimized, and the amount of parity payments necessary to take up the slack between this maximum and the farm price is much less than what it would be if the farm price were not supported by the loans.

Tobacco, rice, cotton, and white wheat being on a world-price basis, loans only become available in the case of extraordinarily large supplies. The loans then serve to prevent the domestic price from falling to exceedingly low levels.

In addition to the direct effect upon price, the surplus reserve loans permit more orderly marketing and enable the farmer to withhold and store a large part of the normal carry-over and of the additional reserves that will constitute the ever-normal granary. The loans will finance the storage of these reserves.

The surplus reserve loans are available only to cooperators. The loans are made solely on the security of the commodity stored on the farm or in warehouses conforming to Government regulations.

Acreage diversion: Cooperators may be required to divert base acreage from the production of the commodity if the total supply exceeds normal at the beginning of the marketing year and the ever-normal granary supply is adequate. The amount of diversion is to be fixed so as to make effective the objective of parity and, without interfering with the maintenance of parity prices, also to make effective the objective of an adequate ever-normal granary supply. In no event is the amount of diversion to be so great as to bring the total supply at the end of the marketing year to less than normal. Any diversion of acreage required is undertaken by a cooperator without special compensation and in return for the benefits of a stabilized income afforded him by the act. A cooperator is required to engage in certain soil maintenance, soil building, and dairy practices with respect to the acreage diverted. Wheat and corn acreage may be interchanged by the farmer for diversion purposes.

Storage under seal: Cooperators may be required to store under seal not to exceed 20 percent of their harvest of the current crop. Such storage is to be on the farm or in warehouses conforming to regulations of the Secretary. Surplus reserve loans may be obtained on the security of the commodity so stored.

Marketing quotas: If the total supply of a major agricultural commodity at the beginning of a marketing year exceeds normal by more than certain amounts, marketing quotas are then to be placed in effect for the current crop of the commodity. Thus the marketing-quota level for cotton, for instance, is a total supply 15 percent in excess of normal, or 20,900,000 bales; corn, 10 percent in excess of normal, or 2,743,000,000 bushels; wheat (other than white wheat), 20 percent in excess of normal, or 893,000,000 bushels; rice, 10 percent in excess of normal, or 12,700,000 barrels; dark tobacco, 10 percent in excess of normal, or 371,000,000 pounds; and cigar tobacco, 10 percent in excess of normal, or 416,000,000 pounds. When the provisions of the bill are in operation, supplies of this magnitude would not occur frequently, because, with the voluntary diversion which would be in effect from time to time, these large supplies would probably occur only in years of extraordinarily favorable yields or large increases in the planted acreages of noncooperators.

The national marketing quota for any commodity is to be so fixed as to make available during the marketing year at least a normal supply of the commodity. The national marketing quota for any commodity will in no event be less than the normal supply for the commodity adjusted by deducting, first, the carry-over available for market, and, second, by the quantity not produced for market. On the other hand, the national marketing quota for any commodity cannot be greater than the ever-normal granary supply level, similarly adjusted.

The Secretary of Agriculture is required, after public hearing with respect to the facts involved, to proclaim the amount of the national marketing quota for any commodity, both in terms of the quantity which may be marketed and in terms of a percentage of the national base acreage for the commodity, computed on the basis of the national average yield for such commodity.

The amount of the marketing quota for any farm shall be the current crop of the commodity less the normal yield of the acreage on the farm devoted to the production of such crop in excess of the percentage of base acreage specified in the proclamation of the Secretary. However, the farmer who, through flood, drought, or other adverse conditions, fails to produce an amount equal to the normal yield of at least half his base acreage for the commodity is not subject to quota.

The noncooperator, as well as the cooperator, is subject to the quota provisions of the bill. Inasmuch as the cooperator will have already conformed to the crop-diversion requirements under the adjustment contract prior to the imposition of the marketing quota on the crop, it is unlikely that in any year in which the marketing quotas are in effect a cooperator would be in any way restricted in his marketings. The effect of the marketing quotas is thus to place the noncooperator in the same position as the cooperator, by requiring the noncooperator to withhold from market the normal yield of an acreage about equivalent to that which the cooperator will have diverted from production of the crop plus the normal yield of any acreage in excess of his base acreage which the noncooperator may have also devoted to such crop. It is also to be noted that efficient production is not penalized under the provisions of the bill, inasmuch as the amount to be withheld from market is based upon the normal yield for the farm and not the actual yield for the farm in any particular year.

In the event marketing quotas are imposed, the farmer who produces in excess of his quota is required to refrain from marketing such excess until the price of the commodity has risen to more than 10 percent over parity, or until he has absorbed the excess through subsequently diverting from the production of the commodity an acreage whose normal yield at least equals the excess. A farmer who fails to conform to these marketing requirements and markets in excess of quota is, under the bill, engaged in an unfair agricultural practice. Any farmer engaging in any such unfair agricultural practice that affects interstate or foreign commerce is subject to penalties at the rate of 50 percent of the parity price of the excess marketed. For tobacco, penalties at somewhat different rates are specified. Marketing includes feeding in any form to livestock which are to be sold, or the products of which are to be sold.

Release of stocks and tariff-rate reduction: The bill is also designed to safeguard the consumer by preventing the farm price from substantially exceeding parity. If the current average farm

price for the commodity is more than 10 percent above the parity price, then action may be taken as follows:

1. Release of stocks of the commodity which cooperators had been required to store under seal.
2. Release of stocks of the commodity held off the market under marketing quotas.

3. Calling of surplus reserve loans and disposal of any stocks of the commodity acquired by the Government in connection with such loans.

4. In case of corn, wheat, rice, and tobacco, reduction of the tariff rate on imports by the amount by which the current average farm price for the commodity is more than 10 percent above parity price. This is an automatic flexible tariff operating without delay on these four commodities. A corresponding increase in tariff rate for these commodities is provided if their current average farm price is more than 10 percent below parity price.

Contracts with cooperators: Every farmer engaged in producing any major agricultural commodity (the production and marketing of which affects interstate or foreign commerce) is eligible to enter into an adjustment contract, provided at least 25 percent of his production is for market; that is, at least 25 percent of his production is to be sold or is to be fed in some form to livestock which or the products of which are to be sold. There is a further qualification, however, affecting the small corn and wheat farmer. If the normal yield of his base acreage in the case of corn is less than 300 bushels or in the case of wheat is less than 100 bushels and he confines his production to his base acreage, then such a farmer does not become a noncooperator by failing to enter into an adjustment contract. It is expected that this provision will simplify the administration of the bill and at the same time afford the small farmer all the benefits under the bill if he wishes to take advantage of them.

The first adjustment contracts to be offered to farmers are for the 3-year period beginning with the crops planted to be harvested in 1938. New adjustment contracts will cover additional periods to be determined by the Secretary. Adjustment contracts are tendered to farmers during the last 5 months of each calendar year, but apply only with respect to crops to be harvested in subsequent years covered by the contract. A separate contract is required for each farm, but each contract covers all major agricultural commodities.

The Secretary of Agriculture enters into the adjustment contract with the person owning the land comprising the farm, except that if the farm is leased to a person having full control of cropping operations on the farm for 1 year or more during the period covered by the adjustment contract, then the Secretary enters into the contract with such lessee. In preparing and entering into adjustment contracts the Secretary of Agriculture is required to take into consideration and protect the rightful interests and equities of tenants and sharecroppers.

Under his adjustment contract the cooperator is entitled to parity payments, to surplus reserve loans, and to soil-building payments under the Soil Conservation and Domestic Allotment Act; also to soil-conserving payments under that act with respect to commodities other than the five major agricultural commodities. Commencing with 1938 no soil-conserving payments under that act will be payable with respect to cotton, wheat, corn, rice, and tobacco, but in lieu thereof cooperators will receive the parity payments. An exception is made in case of flue-cured, Maryland, and burley tobacco, the producers of which will continue to receive the soil-conserving payments and not the parity payments. Noncooperators eligible to enter into adjustment contracts will receive no payments under the Soil Conservation and Domestic Allotment Act. The bill in nowise affects payments under the Soil Conservation and Domestic Allotment Act to farmers not engaged in producing for market one of the major agricultural commodities.

In return for the benefits under his adjustment contract the cooperator is obligated, under certain supply conditions heretofore set forth and without special compensation therefor, to divert acreage from production of any major agricultural commodity and to store under seal not in excess of 20 percent of his production. Independent of his contract, the cooperator, like the noncooperator, has the duty to restrict marketing in accordance with any marketing quotas in effect. For breach of his contract the cooperator loses his right to surplus reserve loans and parity payments with respect to the crop concerning which the breach occurs.

Base acreages and normal yields: On each farm of any farmer producing any major agricultural commodity the production and marketing of which affects interstate or foreign commerce, there is to be established, whether or not the farmer is a cooperator, a base acreage, and a normal yield for each such commodity. The national base acreage for each commodity is specified in actual acreage figures. These figures are sufficiently large to cover an aggregate base acreage equal in amount to all base acreage recognized under the existing Soil Conservation and Domestic Allotment Act. Ordinarily the whole of the base acreage for a commodity will not be needed in order to maintain supply at the ever-normal granary supply level. This large base acreage, however, remains available to meet extraordinary demands. Ordinarily a substantial portion of this base acreage will be diverted from production. This, however, has no effect on the costs under the bill for, as heretofore pointed out, payments are not made for diversion or based on the amount of diversion.

The national base acreage is allotted among the States on the basis of acreage devoted to production of the commodity during the preceding 10 years, with adjustments for abnormal weather conditions, recent trends in acreage, and acreage diverted through agri-

cultural adjustment and conservation programs. The State base acreage is allotted among counties and local administrative areas within the State on the same basis with an additional adjustment for promoting changes in soil-conservation practices. The local allotments are allotted among the farms within the area through local committees of farmers, and equitably adjusted by the committee among such farms. The adjustment is made on tillable acreage, type of soil, topography, and production facilities.

The normal yield is the average yield of the farm for the commodity during the preceding 10 years with adjustments in those areas that were subject to abnormal weather conditions; also where there is no actual yield or where the data therefor is not available for any year, an appraised yield, as determined under regulations of the Secretary of Agriculture, is to be used. The normal yield is to be recomputed whenever new adjustment contracts are to be entered into.

Soil depleting base acreages, normal yields, and marketing quotas are required to be published within the county and filed for public inspection. Any farmer dissatisfied may obtain a review before an independent committee of farmers. Where necessary further review may be had before a reviewing officer designated by the Secretary of Agriculture and before the courts. Any increase in such base acreage or marketing quota as a result of review proceedings is to be made by reducing pro rata all other base acreages or marketing quotas within the same local administrative area.

Administration: The act is to be administered by the Secretary of Agriculture. He may utilize local committees or associations of farmers, or State public or private agencies adequately empowered by State laws. Cooperative associations are to be accorded such recognition as will promote efficient methods of marketing and distribution. Observation of acreage diversion and quota requirements is expected to be policed by the local associations of producers.

For administering the surplus reserve loans there is established within the Department of Agriculture, and as an agency of the Department, a corporation to be known as Surplus Reserve Loan Corporation. The management of the corporation is vested in a board of three persons employed in the Department, to be appointed by the Secretary and to be subject to his general supervision. The corporation has a capital stock of \$100,000,000 subscribed to by the United States, and that sum is authorized to be appropriated by the bill. The corporation is authorized to have outstanding at any time notes, debentures, and other obligations in a par amount aggregating not more than five times its paid-in capital stock. The Secretary of the Treasury may purchase obligations of the corporation.

Appropriations: Aside from the foregoing appropriation for the capital stock of the Surplus Reserve Loan Corporation, which is not annual but is required to be made only once, the appropriations required by the bill are those necessary for the Soil Conservation Act payments and the parity payments pursuant to adjustment contracts made with cooperators. According to the estimates of the Department of Agriculture, the probable amount of funds required annually for payments pursuant to adjustment contracts will vary from \$200,000,000 to \$500,000,000. A large part of this cost will be met by the discontinuance under the Soil Conservation and Domestic Allotment Act of the soil-conserving payments on the five major agricultural commodities. These payments have heretofore been made from a portion of the \$500,000,000 appropriation authorized under that act.

In view of the foregoing considerations the bill authorizes \$400,000,000 to be appropriated annually and to remain available until expended. However, of this amount \$250,000,000 will be made available from the appropriation for the Soil Conservation and Domestic Allotment Act. This, together with the funds appropriated to the Secretary of Agriculture by section 32 of the act of August 24, 1935, and not required for other purposes, viz, \$50,000,000, will come close to covering all payments under the proposed legislation without increase in the authorized appropriations for Agricultural Adjustment Administration programs.

USES OF SOUTHERN AGRICULTURAL PRODUCTS

Mr. BILBO. Mr. President, on April 12 I introduced Senate bill 2140, providing for the establishment and maintenance of a regional research laboratory for the development of industrial uses for southern agricultural products. The bill was enthusiastically approved by the Department of Agriculture and by the President as well, but owing to the financial situation the Budget Bureau objected. After conferences with the Budget Bureau, the bill was redrafted. At this time I introduce for appropriate reference another bill on the same subject, and ask that it be printed in the RECORD at this point, together with a letter from the President endorsing the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and the letter from the President will be printed in the RECORD.

The bill (S. 2789) to provide for the establishment and maintenance of a regional research laboratory for the development of industrial uses for southern agricultural products; the first unit to be devoted to the development of industrial uses for cotton and cotton products; additional

units to be provided for the study of other crops as additional funds are provided, was read twice by its title, and referred to the Committee on Agriculture and Forestry, as follows:

A bill to provide for the establishment and maintenance of a regional research laboratory for the development of industrial uses for southern agricultural products; the first unit to be devoted to the development of industrial uses for cotton and cotton products; additional units to be provided for the study of other crops as additional funds are provided

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed (1) to establish and maintain a regional research laboratory within one of the following Southern States: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia; (2) to conduct at such laboratory research, experiments, investigations, tests, and demonstrations with respect to the chemical, physical, and physiological properties and utilization and preservation of cotton and its by-products, including cottonseed, cottonseed meal, cottonseed oil, cotton hulls, moats, cotton lint and linters, and cotton stalks; and the collection, harvesting, preservation, and industrial utilization of whole cotton as a raw material for the manufacture of cellulose, cellulosic materials, lignin and lignin derivatives, etc., with a particular view to the development of wider uses of cotton by industry; and (3) to make public the results of such research, experiments, investigations, tests, and demonstrations. This shall constitute the first unit.

Sec. 2. Such laboratory shall be established only upon the condition that the State in which it is to be located shall provide suitable lands without expense to the United States and shall provide the sum of \$250,000 to defray the expenses of the construction of suitable buildings. The Secretary of Agriculture shall within 60 days after the enactment of this act transmit to the Governor of each of the said States information with respect to the lands necessary to provide a suitable site for such laboratory. If thereafter any of the said States, on or before March 1, 1938, submits to the Secretary of Agriculture an offer to provide the lands and money required by this section, with such guaranties for the performance thereof as may be satisfactory to the Secretary, he shall accept from among the offers submitted the offer of the State deemed by him to be most desirable for the location of such laboratory. Upon the acceptance of the offer of any State, the Secretary of Agriculture shall as soon thereafter as practicable accept, in the name of the United States, title to the land offered by such State and the money offered by such State shall be covered into the United States Treasury as a special fund to be used for the purpose of this act.

Sec. 3. The Secretary of Agriculture is authorized and directed to construct, on any lands acquired under this act for the purpose of establishing such laboratory, suitable buildings and appurtenances thereto at a cost not in excess of \$250,000. The Secretary is further authorized, for the purposes of this act, to acquire such equipment, apparatus, and supplies as he deems necessary and to cooperate with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experimental stations, universities, and other State agencies and institutions, counties, municipalities, business, or other organizations, corporations, associations, scientific societies, and individuals upon such terms and conditions as he may prescribe.

Sec. 4. Any money received from a State under this act is hereby made available solely for the construction of buildings and appurtenances for such laboratory; and, in addition thereto, there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$250,000 for each fiscal year, beginning with the fiscal year ending June 30, 1939, to carry out the purposes of this act. Ten percent of the appropriations may be expended for administrative purposes in the District of Columbia.

Sec. 5. The Secretary of Agriculture is further authorized to establish from time to time as funds are provided, other than the funds available under this act, additional units on the land acquired under this act for research in other southern farm products and byproducts such as rice straw, rice hulls, tung nuts, tung hulls, tung oil, peanuts, peanut oil, peanut hulls, sugarcane bagasse, palmetto fiber, and any other southern crop and its byproducts that offer promising possibilities for new and wider industrial outlets for agricultural products.

The letter presented by Mr. BILBO is as follows:

THE WHITE HOUSE,
Washington, July 6, 1937.

HON. THEODORE G. BILBO,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I have given careful consideration to the matter of the establishment and operation of a regional research laboratory for the development of new uses of southern agricultural products, as proposed by the bill which you have introduced in the Senate (S. 2140) and as explained in your letter to me of June 10, 1937.

I consider the aims and purposes of the project highly meritorious and would be willing to favor the Federal Government doing its part to further them. I do not feel, however, that this part should consist of financing the project wholly at the expense of the Government. It would seem that since the matter is of

such importance to the Southern States, particularly those in the Cotton Belt, that the States concerned should be willing to cooperate to the extent of furnishing the necessary buildings and grounds, leaving to the Government the cost of furnishing the necessary equipment and the conduct of research activities.

In order not to impose too great a burden at this time, when the financial situation of the Government and of the States concerned is not as favorable as might be desired, I would suggest that the project might be initiated by providing for the establishment and operation during the fiscal year 1939 of but one unit of the proposed research laboratory, to be devoted to the South's principal agricultural product—the cotton plant, including the utilization of the raw cotton, stalks, seed, burs, etc. I am advised that the cost of such a unit would be approximately \$250,000 for building and grounds and \$250,000 for equipment and operation the first year, and that thereafter the cost of operation would be about \$250,000 a year. It is my thought that, as the financial situation improves so as to justify such action, additional building units might be provided from time to time and research activities undertaken with respect to other major agricultural products of the Southern States.

If you should see fit to redraft your bill to set forth a plan along the lines above suggested, I should be glad to give it my approval.

Sincerely yours,

FRANKLIN D. ROOSEVELT.

AMENDMENT OF UNITED STATES WAREHOUSE ACT—AMENDMENT

Mr. WALSH submitted an amendment intended to be proposed by him to the bill (S. 2356) to amend section 2 of the United States Warehouse Act, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

LOW-COST HOUSING—AMENDMENT

Mr. WALSH submitted an amendment intended to be proposed by him to the bill (S. 1685), to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the provision of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes, which was referred to the Committee on Education and Labor and ordered to be printed.

ESTABLISHMENT OF A NATIONAL ECONOMIC COUNCIL—LIMIT OF EXPENDITURES

Mr. BULKLEY submitted the following resolution (S. Res. 152), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Manufactures, authorized by resolution 114, Seventy-fourth Congress, to investigate the desirability of establishing a National Economic Council, hereby is authorized, in pursuance of such investigation, to expend from the contingent fund of the Senate \$5,000 in addition to the amount heretofore authorized for such purpose.

IMPORTS UNDER PARAGRAPH 713 OF TARIFF ACT OF 1930

Mr. LODGE (for himself, Mr. WALSH, Mr. LONERGAN, Mr. MALONEY, Mr. AUSTIN, Mr. GIBSON, Mr. BROWN of New Hampshire, Mr. BRIDGES, Mr. HALE, and Mr. WHITE) submitted the following resolution (S. Res. 153), which was referred to the Committee on Finance:

Resolved, That the United States Tariff Commission is hereby authorized and directed to report to the Senate as soon as practicable the total volume of each article enumerated in paragraph 713 of the Tariff Act of 1930, which was imported into the United States during the 5-year period immediately preceding the date of adoption of this resolution.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Megill, one of its clerks, announced that the House had passed a bill (H. R. 7865) making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H. R. 7865) making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937 was read twice by its title and referred to the Committee on Appropriations.

EXTENSION OF INTERIOR DEPARTMENT APPROPRIATIONS

Mr. MCKELLAR. Mr. President, the Committee on Appropriations has conferred with regard to House bill 7865,

which has just come over from the other House, and has authorized me to report it favorably. I now do so, and ask unanimous consent for the immediate consideration of the bill. The Interior Department cannot continue their necessary functions unless the extension is made until July 31, 1937. This is merely a measure continuing for a limited time the appropriations.

The PRESIDENT pro tempore. Without objection, the report will be received. The Senator from Tennessee asks unanimous consent for the present consideration of the bill. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 7865) making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937, which was ordered to a third reading, read the third time, and passed.

AUTHORITY TO SIGN BILLS AND JOINT RESOLUTIONS

Mr. McKELLAR. I ask unanimous consent that the Presiding Officer may be authorized to sign the bill during the recess or adjournment of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, I extend that request to the signing of any document by the Presiding Officer during any adjournment or recess of the Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CAMPAIGN RADIO ADDRESSES BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD sundry speeches made by him during the campaign of 1936, which appear in the Appendix.]

LAW VERSUS CHAOS—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. BULOW asked and obtained leave to have printed in the RECORD an address entitled "Law versus Chaos", delivered by Senator THOMAS of Utah before the Institute of Public Affairs, University of Virginia, on July 12, 1937, which appears in the Appendix.]

REORGANIZATION OF FEDERAL JUDICIARY—ADDRESS BY SENATOR HATCH

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD a radio address delivered by Senator HATCH on July 12, 1937, relative to the reorganization of the Federal judiciary, which appears in the Appendix.]

COST OF CERTAIN HOMESTEAD PROJECTS

[Mr. BYRD asked and obtained leave to have printed in the RECORD a letter from R. N. Elliott, Acting Comptroller General of the United States, relative to the cost of certain homestead projects, a table on the same subject, and a statement on the subject issued by himself, which appear in the Appendix.]

WORK OF THE ARMY ENGINEERS

[Mr. SHEPPARD asked and obtained leave to have printed in the RECORD two editorials from the Beaumont (Tex.) Enterprise relative to the work of the Army engineers, which appear in the Appendix.]

APPROPRIATIONS FOR CIVIL FUNCTIONS OF WAR DEPARTMENT—CONFERENCE REPORT

The PRESIDENT pro tempore. Morning business is closed. The Senator from New York [Mr. COPELAND] is recognized.

Mr. COPELAND. Mr. President, I have explained to the Senate the disagreement relating to certain officers at the Soldiers' Home. I wish the money might be provided, but it seems to me foolish for us to make the effort at this time.

The other matters in dispute are few in number. The first one relates to graves and grounds in the Congressional Cemetery. It may not be known to some of the newer Members of the Senate body that the Government many years ago bought 950 lots in the Congressional Cemetery, and that many distinguished men are buried there. Also in the Congressional Cemetery is the grave of a famous Indian chief, who came here representing his tribe on some matter of Government importance, who died while here,

and was buried in that cemetery. The language which was inserted by the Senate was amended so that it might include the care of the grave of this patriotic Indian.

The other amendments, relating to flood control, are of concern to everybody.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. COPELAND. Certainly.

Mr. McNARY. As I recall the status of the flood-control items, \$30,000,000 was carried for flood control in the deficiency bill.

Mr. COPELAND. No. The Budget Bureau approved an expenditure of \$30,000,000.

Mr. McNARY. In what bill was that appropriation carried?

Mr. COPELAND. It is carried in the bill making appropriations for the civil functions of the War Department.

Mr. McNARY. In the bill now before us?

Mr. COPELAND. Yes; in this bill. The Senator may recall that last year we wanted to get \$50,000,000 under the so-called Copeland plan, but Congress adjourned before the bill was signed. This year the Bureau of the Budget approved \$30,000,000 for use on the lower Mississippi. We were not satisfied with that, and so the Senate increased the amount to \$60,000,000 under the Copeland Act and \$45,000,000 under the Overton Act. The only way the matter can be presented to us is through this bill.

Mr. McNARY. Does this bill carry \$60,000,000 for flood control?

Mr. COPELAND. This bill calls for \$30,000,000 in cash and \$30,000,000 from relief funds.

Mr. McNARY. Relief funds which have heretofore been appropriated by Congress?

Mr. COPELAND. Yes; which were appropriated in a recent act. The Army engineers have testified that for every dollar expended for materials and engineering they can use a dollar of relief aid to carry on the work.

We in the Senate desired to appropriate directly the \$60,000,000, and to provide a contractual authorization for \$38,000,000 more. The Army engineers have made it clear to us since that time that we really do not need such an arrangement to apply specifically to this bill, because under the general law they may go ahead and make contracts, and the payments are to be made when and if the money is appropriated. Under this bill, however, there will be \$30,000,000 of direct appropriations and \$30,000,000 from relief funds, and the \$60,000,000 will be expended under the direction of the Army engineers.

The situation as to the lower Mississippi is just a little different. For the lower Mississippi the direct appropriation is twenty-two and a half million dollars. Then from relief funds there is to be added \$7,500,000 more, making \$30,000,000, and then there is to be a further use of relief labor to the extent of \$15,000,000, making \$45,000,000 in all. So it would seem to me that it will be possible to carry on the projects very well.

Mr. McNARY. Mr. President, when money for this purpose is reappropriated out of relief funds heretofore appropriated, from what source is the deduction to take place?

Mr. COPELAND. Suppose I read the language of the House amendment. The Senate had provided an appropriation of \$60,000,000. The \$60,000,000 appropriation has been stricken out by this amendment, which reads:

Thirty million dollars and, in addition, \$30,000,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937 shall be available exclusively for carrying out the provisions of such Flood Control Act, approved June 22, 1936, and shall be expended under the direction of the Chief of Engineers under the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936.

So there will be available \$30,000,000 to be expended under the direction of the Army engineers under exactly the same conditions as the \$30,000,000 direct appropriation.

I move that the conference report be adopted.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New York.

The motion was agreed to.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on certain amendments of the Senate to House bill 7493, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
July 9, 1937.

Resolved, That the House recede from its disagreement to the amendment of the Senate no. 1 to the bill (H. R. 7493) making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes, and concur therein with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert "and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including the burial site of Pushmataha, a Choctaw Indian chief."

That the House recede from its disagreement to the amendment of the Senate no. 7 to said bill and concur therein with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment, insert "\$30,000,000, and, in addition, \$30,000,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937 shall be available exclusively for carrying out the provisions of such Flood Control Act, approved June 22, 1936, and shall be expended under the direction of the Chief of Engineers under the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936."

That the House recede from its disagreement to the amendment of the Senate numbered 12 to said bill, and concur therein with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert "\$22,500,000, and, in addition, \$22,500,000 of the appropriation of \$1,500,000,000 contained in the Emergency Relief Appropriation Act of 1937 shall be available exclusively for carrying out the provisions of such Flood Control Act, approved May 15, 1928, as amended by such Flood Control Act, approved June 15, 1936, and of such additional amount, \$7,500,000 shall be in augmentation of the foregoing appropriation of \$22,500,000, and the remainder shall be expended under the direction of the Chief of Engineers subject to the provisions established in and in pursuance of such Emergency Relief Appropriation Act of 1937 not inconsistent herewith: *Provided*, That the requirement in section 1 of such Emergency Relief Appropriation Act of 1937 that no Federal construction project shall be undertaken unless and until there have been allocated and irrevocably set aside sufficient funds for its completion shall not apply to flood-control projects authorized by such Flood Control Act, approved June 22, 1936"; and

That the House insist upon its disagreement to the amendment of the Senate numbered 15 to said bill.

Mr. COPELAND. I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 1, 7, and 12.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New York.

The motion was agreed to.

Mr. COPELAND. I move that the Senate recede from its amendment numbered 15.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New York.

The motion was agreed to.

Mr. COPELAND. Mr. President, do I understand that the order already entered will permit the Presiding Officer to sign this bill?

The PRESIDENT pro tempore. The Chair so understands. Unanimous consent has been given for the signing of any and all bills or joint resolutions during the recesses or adjournments of the Senate.

EXTENSION OF REDUCED INTEREST RATE ON FEDERAL LAND-BANK LOANS—VETO MESSAGE

Mr. BORAH. Mr. President, the veto message of the President with reference to the bill (H. R. 6763) reducing the rate of interest on farm mortgages is on the Vice President's desk. It is not my purpose to call it up at this particular time; but I give notice that at the very first appropriate opportunity I shall move to have the matter considered and ask for a vote upon it.

Mr. KING. Mr. President, I did not understand the request of the Senator from Idaho. Is it to take up for consideration at this time the veto message?

Mr. BORAH. As soon as may be appropriate. I do not undertake to do it today, as there are many Senators absent.

Mr. KING. I shall be glad if it is taken up, and I indicate my desire to support the President of the United States in the veto.

Mr. BORAH. I indicate my desire to override the veto.

Mr. BARKLEY. Mr. President, it is not desirable to take up the veto message today. There will be no objection to taking it up early next week, so far as I know; but it ought not to be taken up today.

TERMS OF UNITED STATES DISTRICT COURT, WEST VIRGINIA

Mr. NEELY. Mr. President, I ask unanimous consent for the immediate consideration of House bill 6208, Calendar No. 847, with the assurance that such consideration will not cause any debate.

This bill, which was unanimously passed by the House, simply changes the time of holding certain terms of Federal court in the State of West Virginia. Its enactment will impose no burden of any kind upon the Government. Its sole object is to promote efficiency in the transaction of public business. All three of the district judges in West Virginia have requested or approved the changes proposed in the bill.

The PRESIDENT pro tempore. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (H. R. 6208) to amend an act of Congress entitled "An act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia", approved June 22, 1936, by changing the times provided therein for holding the United States district court at various places now fixed by law in the State of West Virginia.

Mr. KING. Mr. President, I desire to make an inquiry of the Senator from West Virginia. The bill does not increase the number of places at which the court may be held?

Mr. NEELY. It does not. It simply changes the time of holding terms of court.

Mr. KING. And its passage would not increase the expenses of the Government?

Mr. NEELY. Not a penny.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia for the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the present district judge for the northern district of West Virginia shall hold regular terms of court in such northern district at the following places and times, that is to say:

(a) At the city of Martinsburg on the first Tuesday in April and the fourth Tuesday in September in each year;

(b) At the city of Wheeling on the third Tuesdays in April and October in each year;

(c) At the city of Elkins on the first Tuesday in June and the third Tuesday in November in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

The present district judge for the southern district of West Virginia shall hold regular terms of court in said southern district at the following times and places, that is to say:

(a) At the city of Bluefield on the third Tuesdays in January and June in each year;

(b) At the city of Lewisburg on the first Tuesdays in March and September in each year;

(c) At the city of Charleston on the second Tuesday in April and on the third Tuesday in November in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

The district judge for the said northern and southern districts of West Virginia, appointed under the act approved June 22, 1936, shall hold regular terms of court in said northern and southern districts at the following places and times, that is to say:

(a) At the city of Clarksburg in said northern district on the first Tuesday in January and on the fourth Tuesday in August in each year;

(b) At the city of Parkersburg in said northern district on the third Tuesday in March and on the first Tuesday in October in each year;

(c) At the city of Huntington in said southern district on the second Tuesday in May and on the third Tuesday in October in each year;

(d) Said judge shall also hold such special terms as may be necessary for the orderly dispatch of the business of said court; the same to be held at said places and at such times as he shall appoint.

Sec. 2. This act shall take effect on the 1st day of July 1937.

Mr. NEELY. I move to amend the bill by striking out section 2, which is as follows:

This act shall take effect on the 1st day of July 1937.

As the bill was not passed before the time mentioned, this amendment is necessary.

The PRESIDENT pro tempore. The amendment offered by the Senator from West Virginia will be stated.

The CHIEF CLERK. It is proposed to strike out lines 14 and 15, on page 3, in the following words:

Sec. 2. This act shall take effect on the 1st day of July 1937.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

FUNERAL SERVICES FOR SENATOR ROBINSON

Mrs. CARAWAY. Mr. President, yesterday Members of this body arose to express their sorrow upon the death of my colleague the late senior Senator from my State, the veteran majority leader. It was a heartfelt outpouring of their respect and love for him which will in time bring great comfort to his family. That it would have meant much to him to have had such expressions of love and respect to buoy him up through the severe strain of his legislative duties no one can doubt; but all humanity is shy about expressing itself on the things they feel most deeply for fear of being thought guilty of sentimentality.

For years Senator ROBINSON has been in the public eye. He ever displayed a courage and loyalty of the highest order, combined with strong native ability, which has been and will continue to be a matter of great pride to Arkansas. No other man in our State ever wielded a greater power in both State and Nation, nor will another in a century.

I may not be able to express myself so forcefully or dramatically as some. I feel too deeply the loss of this man to his State, to us here in the Senate, and to the country to be able to talk about it. He was my friend. We shall for years to come regret his untimely death and wish that he were here to advise and direct.

Mr. President, I send a resolution to the desk, and ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will read the resolution.

The resolution (S. Res. 151) was read and unanimously agreed to, as follows:

Resolved, That the Secretary invite the Members of the House of Representatives to attend the funeral of Hon. JOSEPH T. ROBINSON in the Senate Chamber on Friday, July 16, at 12 o'clock m., and to appoint a committee to act with the committee of the Senate; and be it further

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the Diplomatic Corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the funeral in the Senate Chamber.

ORDER FOR ADJOURNMENT TO TUESDAY FOLLOWING FUNERAL SERVICES

Mr. BARKLEY. Mr. President, according to the resolution just agreed to the funeral services will be held in this Chamber at 12 o'clock noon tomorrow in honor of the late Senator ROBINSON. I ask unanimous consent that at the conclusion of the funeral services tomorrow the Senate shall stand adjourned until noon on Tuesday next.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is ordered.

COMMITTEE TO ATTEND FUNERAL OF SENATOR ROBINSON

The PRESIDENT pro tempore. In reference to the appointment of a committee of Senators to attend the funeral

ceremonies of the late Senator JOSEPH T. ROBINSON, to be held at Little Rock, Ark., on Sunday, July 18, the Chair makes the following announcement:

The Senate, by resolution, authorized the Chair to appoint any Member on this committee. The Chair has announced that any Senator who desires to attend such ceremonies will be considered as appointed on the committee. So far the following Senators have expressed a desire to attend such funeral ceremonies and be appointed on the committee:

Mr. ANDREWS, Mr. ASHURST, Mr. AUSTIN, Mr. BAILEY, Mr. BANKHEAD, Mr. BARKLEY, Mr. BILBO, Mr. BLACK, Mr. BONE, Mr. BRIDGES, Mr. BROWN of Michigan, Mr. BULKLEY, Mr. BURKE, Mr. BYRD, Mr. BYRNES, Mrs. CARAWAY, Mr. CHAVEZ, Mr. CLARK, Mr. CONNALLY, Mr. DIETERICH, Mr. ELLENDER, Mr. GLASS, Mr. GREEN, Mr. GUFFEY, Mr. HARRISON, Mr. HATCH, Mr. HERRING, Mr. HOLT, Mr. LA FOLLETTE, Mr. LEE, Mr. LEWIS, Mr. LODGE, Mr. LUNDEEN, Mr. McADOO, Mr. McCARRAN, Mr. MCGILL, Mr. McKELLAR, Mr. McNARY, Mr. MINTON, Mr. MURRAY, Mr. NEELY, Mr. O'MAHONEY, Mr. OVERTON, Mr. PEPPER, Mr. PITTMAN, Mr. POPE, Mr. REYNOLDS, Mr. RUSSELL, Mr. SCHWARTZ, Mr. SCHWELLENBACH, Mr. SHIPSTEAD, Mr. THOMAS of Utah, Mr. TOWNSEND, Mr. TRUMAN, Mr. VANDENBERG, Mr. WAGNER, Mr. WHEELER, and Mr. WHITE.

ADJOURNMENT

Mr. BARKLEY. I now move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 40 minutes p. m.) the Senate adjourned until tomorrow, Friday, July 16, 1937, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 15, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thou who dost uphold all things by the breath of Thy power, we beseech Thee that our prayer may reach the Father's heart. So manifold are Thy providences that surely goodness and mercy shall follow us all the days of our lives. Thy presence forsakes us never and Thy care is the home of the soul. May we be minstrels of the Most High with our breasts attuned at the source of all melody and all hope. May we serve Thee and our country by loving one another, by exercising patience with one another, and by bearing with one another. Bring to us a divine blessing that shall lead us soul deep in appreciation of our Republic, which gives freedom to the oppressed and where institutions are united to succor our fellow men. In our Savior's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MARY E. HALTIGAN

Mr. WARREN. Mr. Speaker, I offer a privileged resolution (H. Res. 276) from the Committee on Accounts and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 276

Resolved, That there shall be paid out of the contingent fund of the House to Mary E. Haltigan, wife of Patrick J. Haltigan, late an employee of the House, an amount equal to 6 months' compensation, and an additional amount, not to exceed \$250, to defray funeral expenses of the said Patrick J. Haltigan.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

UNITED STATES COURT FOR CHINA

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to recommit to the Committee on Foreign Affairs the bill (H. R. 6444) to amend the act of June 30, 1906, entitled "An act creating a United States Court for China and prescribing the jurisdiction thereof", for the purpose of correcting the report and making it in accordance with the facts.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

INTERIOR DEPARTMENT AND WAR DEPARTMENT APPROPRIATION BILLS—CONTINUING RESOLUTION

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7865) making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I understand this is a continuing resolution, to carry along appropriations at the rate that appropriations were carried in the 1937 bill, for the maintenance of the departments for which the regular supply bills for 1938 have not been enacted. We passed such a resolution on the 1st of July or the 30th of June that carried it until the middle of July. This resolution carries it through the end of July. Is that correct?

Mr. CANNON of Missouri. That is correct. The resolution under which the departments are operating terminates at midnight the 15th, and the proposed resolution carries authority to continue operations until midnight of July 31, or until pending supply bills are enacted.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York, the minority leader.

Mr. SNELL. How many general appropriation bills are there which have not yet been passed?

Mr. CANNON of Missouri. Two of the supply bills have not yet reached enactment—the nonmilitary bill for the War Department and the Interior Department appropriation bill.

Mr. SNELL. And those are all?

Mr. CANNON of Missouri. Those are all and we hope to get those two through in the next few days.

The SPEAKER. Is there objection to the request of the gentleman from Missouri for present consideration of the bill.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection. The Chair hears none and the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act entitled "An act making appropriations for the first half of the month of July 1937, for certain operations of the Federal Government which remain unprovided for on July 1, 1937, through the failure of enactment of the supply bills customarily providing for such operations", approved July 1, 1937, are extended and continued in full force and effect for and during the last half of the month of July 1937: Provided, That notwithstanding section 3 of such act, the amount to be expended out of any appropriation provided by this act for such last half of the month of July 1937 may equal, but shall not exceed, one twenty-fourth of the appropriation available for like purposes for the fiscal year ending June 30, 1937.

Mr. CANNON of Missouri. Mr. Speaker, the authority conferred by the continuing resolution passed by the House on June 29 ends at midnight tonight. The expectation was that within the 2 weeks provided by the resolution the remaining supply bills would be enacted. But conditions and events unforeseen and unexpected intervened and two of the bills are still in conference. This resolution merely extends for 2 additional weeks the appropriations for the two departments unprovided for, at the ratio carried by the 1937 bills, to terminate on enactment of the 1938 bills, which we have

every reason to believe will be sometime within the coming week.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes after disposition of matters on the Speaker's table and prior to the taking up of the conference report on the Interior Department appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. JOHNSON of Oklahoma. Mr. Speaker, reserving the right to object—I dislike very much to object, but this conference report has some controversial matters, and it is going to be very difficult to finish today unless we begin immediately. I remember when the bill was being considered before, we agreed to give way to one and then others asked for time, and I think the RECORD will show that we lost about an hour or an hour and a half getting started.

Mr. COX. Mr. Speaker, will the gentleman yield? I trust the gentleman will not make objection to this request.

Mr. RAYBURN. Well, Mr. Speaker, reserving the right to object, I must object. At least two gentlemen have been to me this morning and asked me if I would consent to their speaking before this conference report was taken up. I told them I would feel obliged to object. They said they would extend their remarks in the RECORD. Of course, I do not like to object to the gentleman from Illinois addressing the House, but under the circumstances I must do so.

Mr. COX. I do not think the gentleman ought to object. The gentleman from Illinois seldom makes a request to address this House.

Mr. JOHNSON of Oklahoma. If the gentleman can assure me that it will only be 10 minutes—

Mr. RAYBURN. Of course, the gentleman from Oklahoma cannot make any agreement.

Mr. JOHNSON of Oklahoma. I realize I cannot make any agreement that would bind anyone else.

Mr. COX. The statement of the gentleman would not be appropriate at any other time. In view of that, I trust the gentleman will not object.

Mr. CREAL. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. DIRKSEN asked and was given permission to revise and extend his remarks in the RECORD.

Mrs. O'DAY and Mr. SABATH asked and were given permission to extend their own remarks in the RECORD.

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. TORGAN] may be permitted to extend in the Appendix of the RECORD a speech he made on the radio a few days ago.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief statement by World Peaceways, Inc., which has reference to a bill I have introduced in Congress.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CALL OF THE HOUSE

Mr. LUCAS. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. Obviously there is not a quorum present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House. A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Allen, Del.	Eaton	Kloeb	Schuetz
Amle	Edmiston	Kopplemann	Scott
Bacon	Ellenbogen	Ludlow	Simpson
Bates	Ferguson	Luecke, Mich.	Sirovich
Brewster	Fernandez	McGrath	Smith, W. Va.
Buck	Fitzgerald	McGroarty	Summers, Tex.
Buckley, N. Y.	Fieger	Maas	Sutphin
Burch	Ford, Calif.	Mitchell, Ill.	Taylor, Colo.
Caldwell	Frey, Pa.	Mosier, Ohio	Taylor, Tenn.
Cannon, Wis.	Fulmer	Mott	Teigan
Carlson	Gasque	Mouton	Tinkham
Casey, Mass.	Gilchrist	Patrick	Tobey
Celler	Hartley	Peyser	Wene
Collins	Hill, Ala.	Phillips	White, Idaho
Colmer	Holmes	Reed, N. Y.	White, Ohio
Crosby	Johnson, Lyndon	Reilly	Wigglesworth
Crosser	Johnson, Minn.	Rogers, Okla.	Wood
Culkin	Keller	Ryan	
Duncan	Kelly, N. Y.	Sadowski	

The SPEAKER. On this roll call, 357 Members have answered to their names, a quorum.

On motion of Mr. JOHNSON of Oklahoma, further proceedings under the call were dispensed with.

PERMISSION TO ADDRESS THE HOUSE

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of business on the Speaker's table, the legislative business for the day, and the previous order heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 150

IN THE SENATE OF THE UNITED STATES,

July 6 (calendar day, July 14), 1937.

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. JOSEPH T. ROBINSON, late a Senator from the State of Arkansas.

Resolved, That a committee be appointed by the President pro tempore to take order for superintending the funeral of the deceased Senator.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Senate Resolution 151

IN THE SENATE OF THE UNITED STATES,

July 15, 1937.

Resolved, That the Secretary invite the Members of the House of Representatives to attend the funeral of Hon. JOSEPH T. ROBINSON in the Senate Chamber on Friday, July 16, at 12 o'clock meridian, and to appoint a committee to act with the committee of the Senate; and be it further

Resolved, That invitations be extended to the President of the United States and the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, the diplomatic corps (through the Secretary of State), the Chief of Staff of the Army, the Chief of Naval Operations of the Navy, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard to attend the funeral in the Senate Chamber.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7493) entitled "An act making appropriations for the fiscal year ending June 30, 1938, for civil functions administered by the War Department, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate nos. 1, 7, and 12, and recedes from its amendment no. 15 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7562) entitled "An act to encourage and promote the ownership of farm homes and to make the possession of such homes more secure, to provide for the general

welfare of the United States, to provide additional credit facilities for agricultural development, and for other purposes."

The message also announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 7865. An act making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937; and

H. J. Res. 431. Joint resolution making an appropriation for the control of outbreaks of insect pests.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech recently made by the distinguished gentleman from New York [Mr. Celler].

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(Mr. DALY, Mr. HIGGINS, and Mr. LAMBERTSON asked and were given permission to extend their own remarks in the RECORD.)

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a tribute to the late lamented Member of Congress, John J. McSwain, by the Senator from South Carolina [Mr. BYRNES].

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I recently delivered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOOK. Mr. Speaker, in view of the fact that one of the members of the press saw fit to make disparaging remarks that were lies, and that they affect myself and other Congressmen, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent to address the House for 5 minutes at this time. Is there objection?

Mr. JOHNSON of Oklahoma. Mr. Speaker, I regret very much to have to object, but I have heretofore sought an agreement that there would be no speeches made before the disposition of the conference report.

Mr. HOOK. I do not want to rise to a question of personal privilege.

Mr. JOHNSON of Oklahoma. Others have asked for time, but objection has been made.

The SPEAKER. Objection is heard.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1938

Mr. JOHNSON of Oklahoma. Mr. Speaker, I call up the conference report on the bill (H. R. 6958) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes, and ask that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6958) "making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other

purposes", having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 4, 19, 21, 27, 31, 33, 38, 45, 49, 50, 55, 56, 63, 82, 91, 92, 99, 100, 102, 103, 108, 110, 111, 120, 126, 127, and 128.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 10, 11, 13, 14, 17, 20, 22, 29, 36, 39, 40, 41, 42, 44, 47, 48, 51, 52, 57, 58, 59, 60, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71, 72, 75, 76, 77, 79, 83, 84, 86, 88, 96, 101, 113, 115, 118, 122, 130, and 131, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$280,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$56,460"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$436,100"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$243,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$78,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$10,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$10,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$508,470"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$130,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "Provided further, That no part of this appropriation shall be available for expenditure in that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed \$15,000 shall be available for expenditure in said State"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$950,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$275,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$625,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert "\$23,000"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$30,000"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "\$30,000"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows: In lieu

of the matter inserted by said amendment insert the following: "one physicians' cottage, \$7,500"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$2,047,500"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$900,000"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$700,000"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$60,000"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$315,000"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$2,927,000"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$624,000"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$359,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$300,000"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$225,000"; and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert: "\$2,222,450"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 8, 12, 24, 28, 30, 35, 37, 46, 53, 54, 73, 74, 87, 89, 90, 93, 94, 95, 97, 98, 121, 123, 124, 125, 129, 132, 133, and 134.

JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHAS. H. LEAVY,

Managers on the part of the House.

CARL HAYDEN,
KENNETH MCKELLAR,
ELMER THOMAS,
ALVA B. ADAMS,
GERALD P. NYE,
FREDERICK STEIWER,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6958) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1938, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

OFFICE OF THE SOLICITOR

On amendment no. 1: Appropriates \$280,000 for personal services, instead of \$275,000, as proposed by the House, and \$286,400, as proposed by the Senate.

DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

On amendment no. 2: Appropriates \$56,460 for this division, instead of \$55,520, as proposed by the House, and \$58,760, as proposed by the Senate. The action of the conferees will have the effect of denying one new position of principal clerk at \$2,300.

DIVISION OF INVESTIGATIONS

On amendments nos. 3 and 4: Appropriates \$436,100 for this division, instead of \$416,000, as proposed by the House, and \$500,000, as proposed by the Senate, and makes \$27,000 available for personal services in the District of Columbia, as proposed by the House, instead of \$30,500, as proposed by the Senate.

PRINTING AND BINDING

On amendments nos. 6 and 7: Appropriates \$243,000 for this purpose, instead of \$240,000, as proposed by the House, and \$250,000, as proposed by the Senate; and provides that of this sum, \$78,000 shall be for the Bureau of Mines, instead of \$75,000, as proposed by the House, and \$85,000, as proposed by the Senate.

NATIONAL BITUMINOUS COAL COMMISSION

On amendments nos. 9, 10, and 11: Appropriates \$3,600,000 for salaries and expenses of the Commission and \$300,000 for the consumers' counsel, as proposed by the Senate.

WAR MINERALS RELIEF COMMISSION

On amendment no. 13: Appropriates \$20,000 for administrative expenses, as proposed by the Senate, instead of \$18,000, as proposed by the House.

GENERAL LAND OFFICE

On amendments nos. 14, 15, 16, and 17: Appropriates \$637,700 for salaries in the District of Columbia, as proposed by the Senate, instead of \$587,700, as proposed by the House; appropriates \$10,000 for transcribing records, instead of \$20,000, as proposed by the Senate; appropriates \$10,000 for binding records, instead of \$24,000, as proposed by the Senate; and appropriates \$1,000,000 for surveying public lands, as proposed by the Senate, instead of \$675,000, as proposed by the House.

BUREAU OF INDIAN AFFAIRS

On amendment no. 18: Appropriates \$508,470 for salaries in the District of Columbia, instead of \$505,270, as proposed by the House, and \$510,090, as proposed by the Senate.

On amendment no. 19: Appropriates \$32,000 for general expenses, as proposed by the House, instead of \$35,000, as proposed by the Senate.

On amendment no. 20: Correct a typographical error.

On amendments nos. 21 and 22, relating to law and order enforcement: Eliminates the word "peyote", inserted by the Senate, and appropriates \$216,540, as proposed by the Senate, instead of \$210,540, as proposed by the House.

On amendments nos. 23 and 25: Appropriates \$130,000 for organizing Indian chartered corporations, instead of \$100,000, as proposed by the House, and \$160,000, as proposed by the Senate; and provides that no part of such appropriation shall be available for expenditure on that part of the Navajo Indian Reservation in the State of New Mexico, and that not to exceed \$15,000 shall be available for expenditure in such State.

On amendments nos. 26 and 27: Appropriates \$950,000 for the acquisition of lands, instead of \$900,000, as proposed by the House, and \$1,000,000, as proposed by the Senate; and provides that \$20,000 of such appropriation shall be available for personal services in the District of Columbia, as proposed by the House, instead of \$34,000, as proposed by the Senate.

On amendment no. 29: Provides that tribal fund appropriations for the Ute Indians in Utah may be expended for improvements on former public-domain lands, as proposed by the Senate.

On amendments nos. 31 and 32: Eliminates the amendment of the Senate providing that funds for the preservation of timber on the Menominee Indian Reservation be paid from Federal appropriations; and appropriates \$275,000 for the preservation of timber on other Indian reservations, instead of \$260,000, as proposed by the House, and \$300,000, as proposed by the Senate.

On amendment no. 33: Appropriates \$80,000 for inspection of mines and examination of mineral deposits on Indian lands, by the Geological Survey, as proposed by the House, instead of \$90,000, as proposed by the Senate.

On amendment no. 34: Appropriates \$625,000 for developing agriculture and stock raising, instead of \$600,220, as proposed by the House and \$640,000, as proposed by the Senate.

On amendment no. 36: Excepts the Navajo Indians in Arizona and New Mexico from the limitation of \$25,000 on expenditures which may be made on any one reservation for the purpose of encouraging industry and self-support among Indians, as proposed by the Senate.

On amendment no. 38: Appropriates \$42,500 for the development of Indian arts and crafts, as proposed by the House, instead of \$50,000, as proposed by the Senate.

On amendments nos. 39, 40, and 41: Appropriates a total of \$349,500, for operation and maintenance of the San Carlos irrigation project, as proposed by the Senate, instead of \$299,500, as proposed by the House, and provides \$50,000 additional from power revenues for operation of the power plant, such sum accounting for the increase in the total appropriation.

On amendment no. 42: Requires payment of irrigation operation and maintenance charges from Indian tribal funds in connection with certain lands of the Pima Indians in Arizona, and authorizes the expenditure of not to exceed \$2,000 from tribal funds for the employment of an attorney.

On amendments nos. 43 and 44: Eliminates the amendment of the Senate appropriating \$2,000 for the investigation of damage claims on the Fort Hall irrigation project; appropriates \$23,000 for operation and maintenance of the project from Federal funds, instead of \$18,000 as proposed by the House and \$25,000 as proposed by the Senate; and appropriates \$25,000 for operation and maintenance from collections, as proposed by the Senate, instead of \$30,000, as proposed by the House.

On amendment no. 45: Eliminates the amendment of the Senate appropriating \$95,000 for rehabilitation and maintenance and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana.

On amendments nos. 47, 48, 49, and 50, relating to the construction or improvement of irrigation systems in Montana: Appropriates \$251,275, as proposed by the Senate, for the Flathead project, instead of \$200,000, as proposed by the House; appropriates \$200,000 for the Crow project, as proposed by the Senate; and eliminates the amendments of the Senate appropriating \$50,000 for resurveying the Poplar River project and \$100,000 for the Fort Peck project.

On amendment no. 51: Strikes out the provision of the House appropriating \$20,000 for the Moapa project and \$10,000 for the Summit Lake project, each in Nevada, as proposed by the Senate.

On amendment no. 52: Appropriates \$60,000 for miscellaneous garden tracts, as proposed by the Senate.

On amendments nos. 55 and 56: Strikes out the proposal of the Senate that \$50,000 be appropriated for the construction of a school in the Hays Public School District, Montana.

On amendment no. 57: Reappropriates an unexpended balance for the acquisition of land adjacent to the Pierre, S. Dak., nonreservation boarding school, as proposed by the Senate.

On amendment no. 58: Appropriates \$55,000 for the education of natives of Alaska, fiscal year 1937, and increases the limitation in the 1937 Appropriation Act for freight and operation and repair of vessels from \$65,000 to \$120,000.

On amendments nos. 59, 60, 61, and 62, relating to the conservation of health: Appropriates a total of \$4,595,690 for this purpose, as proposed by the Senate, instead of \$4,400,000, as proposed by the House, and appropriates Federal funds for the operation and maintenance of hospitals in the State of Minnesota, as proposed by the Senate, instead of tribal funds, as proposed by the House.

On amendment no. 63: Appropriates \$2,604,600 for support of Indians, as proposed by the House, instead of \$2,700,000, as proposed by the Senate.

On amendment no. 64: Appropriates \$80,000 for the support of Indians during the fiscal year 1937, as proposed by the Senate.

On amendments nos. 65, 66, 67, 68, 69, 70, and 71: Appropriates additional funds for the general support of Indians and administration of Indian property, as proposed by the Senate.

On amendment no. 72: Appropriates \$10,000 from tribal funds for compensation and expenses of attorneys employed by the Chippewa Tribe, as proposed by the Senate.

On amendment no. 75: Appropriates \$10,000, from tribal funds, for acquisition, rehabilitation, and preservation of the Tuska-homa Council House, Okla., as proposed by the Senate.

On amendment no. 76: Appropriates \$15,000, from tribal funds, for compensation of persons who have rendered services to the Chickasaw Nation of Oklahoma under the terms of a contract approved by the Secretary of the Interior, as proposed by the Senate.

On amendment no. 77: Appropriates \$3,000,000 for the construction of roads and trails, as proposed by the Senate, instead of \$2,700,000, as proposed by the House.

On amendments nos. 78, 79, 80, 81, 82, 83, 84, 85, and 86, relating to construction and repair of Indian school, agency, hospital, and other buildings: Appropriates \$30,000 for employees' quarters, Claremore Hospital, Okla., instead of \$40,000, as proposed by the Senate; appropriates \$21,000 for improvement of water supply for the Colorado River Reservation, Ariz.; appropriates \$30,000 for improvement of water supply, Colville, Wash., instead of \$35,000, as proposed by the Senate; appropriates \$7,500 for one physicians' cottage, Fort Sill, Okla., instead of \$15,000 for two such cottages, as proposed by the Senate; strikes out the proposal of the Senate appropriating \$25,000 for an office building, Mescalero, N. Mex.; appropriates \$30,000 for the Birney day school, Tongue River, Mont.; appropriates \$62,500 for day school facilities, Turtle Mountain, N. Dak., each of the two latter items being as proposed by the Senate; corrects the total of the construction items in the bill; and strikes out, as proposed by the Senate, language of the House authorizing the transfer of funds.

BUREAU OF RECLAMATION

On amendment no. 88: Strikes out the words "as hereinafter stated", as proposed by the Senate.

On amendment no. 91: Strikes out the amendment of the Senate appropriating \$35,000 for construction work on the Frenchtown reclamation project, Montana.

On amendment no. 92: Appropriates \$150,000 for Colorado River Basin investigations, as proposed by the House, instead of \$250,000, as proposed by the Senate.

On amendment no. 96: Inserts the words "and for general investigations" in the paragraph outlining the purposes for which expenditures may be made in connection with the Central Valley project and the Grand Coulee Dam, as proposed by the Senate.

On amendment no. 99: Strikes out the language of the Senate providing that allotments made or to be made from the Emergency Relief Act of 1937 shall remain available during the fiscal year 1938.

GEOLOGICAL SURVEY

On amendment no. 100: Appropriates \$140,000 for salaries in the District of Columbia, as proposed by the House, instead of \$165,000, as proposed by the Senate.

On amendment no. 101: Increases to \$3,000, as proposed by the Senate, the limitation on traveling expenses in attendance upon meetings, in lieu of \$2,500, as proposed by the House.

On amendment no. 102: Appropriates \$650,000 for topographic surveys, as proposed by the House, instead of \$800,000, as proposed by the Senate.

On amendment no. 103: Makes \$25,000 available for personal services in the District of Columbia, in connection with mineral resources of Alaska, instead of \$34,000, as proposed by the Senate.

On amendments nos. 104 and 105: Appropriates \$900,000 for gaging streams, instead of \$800,000, as proposed by the House, and \$1,000,000, as proposed by the Senate; and provides that \$700,000 of such sum shall be available only for cooperation with States or municipalities, instead of \$600,000, as proposed by the House, and \$800,000, as proposed by the Senate.

On amendment no. 106: Appropriates \$60,000 for personal services in the District of Columbia in connection with the classification of lands, instead of \$50,000, as proposed by the House, and \$70,000, as proposed by the Senate.

On amendments nos. 107 and 108: Appropriates \$315,000 for mineral leasing, instead of \$275,000, as proposed by the House, and \$350,000, as proposed by the Senate; and provides that \$60,000 of such sum shall be available for personal services in the District of Columbia, as proposed by the House, instead of \$75,000, as proposed by the Senate.

On amendment no. 109: Corrects a total.

BUREAU OF MINES

On amendments nos. 110 and 111: Appropriates \$65,500 for salaries and expenses, as proposed by the House, instead of \$68,380, as proposed by the Senate; and provides that not exceeding \$52,000 shall be available for personal services in the District of Columbia, as proposed by the House, instead of \$54,900, as proposed by the Senate.

On amendment no. 112: Appropriates \$624,000 for operating mine rescue cars and stations, instead of \$615,000, as proposed by the House, and \$637,500, as proposed by the Senate.

On amendment no. 113: Appropriates \$250,400 for testing fuel, as proposed by the Senate, instead of \$240,400, as proposed by the House.

On amendment no. 114: Appropriates \$359,000 for mining experiment stations, instead of \$305,000, as proposed by the House, and \$388,850, as proposed by the Senate, the increase of \$54,000 above the bill as passed by the House being provided for additional experimental work at the mining experiment station at Tuscaloosa, Ala.

On amendment no. 115: Appropriates \$87,690 for the care of buildings and grounds at Pittsburgh and Bruceton, Pa., as proposed by the Senate, instead of \$82,690, as proposed by the House.

On amendments nos. 116 and 117: Appropriates \$300,000 for economics of mineral industries, instead of \$274,790, as proposed by the House, and \$324,970, as proposed by the Senate; and provides \$225,000 for personal services in the District of Columbia, instead of \$200,000, as proposed by the House, and \$262,700, as proposed by the Senate.

On amendment no. 118: Increases the limitation on expenditures for attendance upon meetings to \$3,000, as proposed by the Senate, instead of \$2,500, as proposed by the House.

On amendment no. 119: Corrects a total.

NATIONAL PARK SERVICE

On amendment no. 120: Appropriates \$196,940 for salaries in the office of the Director, as proposed by the House, instead of \$150,000, as proposed by the Senate.

On amendment no. 122: Appropriates \$20,000 for improvement of the lighting system at the Oregon Caves National Monument, Oreg., as proposed by the Senate.

On amendment no. 126: Appropriates \$24,000 for a survey of historic sites and buildings, as proposed by the House, instead of \$50,000, as proposed by the Senate.

On amendments nos. 127 and 128: Appropriates \$7,137,280, as proposed by the House, instead of \$7,237,280, as proposed by the Senate, the effect of the two amendments as agreed to by the conferees being to deny an additional \$100,000 for increases in the pay of custodial employees under this Service.

OFFICE OF EDUCATION

On amendment no. 130: Appropriates \$425,000 for salaries and expenses of administering the so-called George-Deen and Smith-Hughes Vocational Education Acts, as proposed by the Senate, instead of \$350,000, as proposed by the House.

On amendment no. 131: Increases the limitation on expenditures for attendance upon meetings to \$3,000, as proposed by the Senate, instead of \$2,500, as proposed by the House.

AMENDMENTS IN DISAGREEMENT

The committee of conference report in disagreement the following amendments of the Senate:

On amendment no. 5: Relating to the purchase of furniture and equipment without regard to the provisions of section 3709 of the Revised Statutes.

On amendment no. 8: Relating to continuation during the fiscal year 1938 of the George Rogers Clark Sesquicentennial Commission and the unexpended balances of appropriations therefor.

On amendment no. 12: Relating to the appropriation for the Petroleum Conservation Division.

On amendment no. 24: Fixing the per diem allowance which may be paid Indians traveling in connection with Indian organization work.

On amendment no. 28: Authorizing contractual obligations to the extent of \$500,000 in connection with the purchase of land for Indians.

On amendment no. 30: Reappropriation of an unexpended balance in connection with the purchase of land for Indians in California.

On amendments nos. 35 and 37: Relating to the disposition of sheep on the Navajo Indian Reservation and authorizing loans to old and indigent Indians and for educational purposes for Indian youths.

On amendments nos. 46 and 53: Authorizing the Secretary of the Interior to enter into contracts not exceeding \$750,000 in connection with the Colorado River irrigation project; and correcting the total of the several irrigation items.

On amendment no. 54: Relating to an appropriation of \$100,000 for the improvement and extension of school buildings in Glacier County, Mont.

On amendment no. 73: Appropriating \$2,000 from tribal funds for attorneys rendering service to the Creek Nation of Indians.

On amendment no. 74: Providing that section 2 of the Act of August 12, 1935, shall not apply to the Five Civilized Tribes.

On amendment no. 87: Authorizing a per capita payment of \$50 each to members of the Menominee Tribe.

On amendment no. 89: Appropriating funds for construction of the Gila reclamation project in Arizona.

On amendment no. 90: Appropriating funds for beginning construction of the Colorado-Big Thompson project, Colo.

On amendment no. 93: Appropriating funds for administrative expenses in connection with the construction of reclamation projects under the reclamation fund.

On amendment no. 94: Reappropriating unexpended balances of appropriations from the reclamation fund, contained in the Interior Department Appropriation Act, 1937.

On amendment no. 95: Correcting a total.

On amendment no. 97: Appropriating funds for general investigations in connection with proposed Federal reclamation projects, etc.

On amendment no. 98: Correcting a total.

On amendment no. 121: Appropriating funds for the acquisition of a fish hatchery for Glacier National Park, Mont.

On amendment no. 123: Relating to the giving of educational lectures in the national parks.

On amendments nos. 124 and 125: Relating to the appropriation for continuing construction of the Blue Ridge and Natchez Trace Parkways.

On amendment no. 129: Relating to the employment of per diem workers and the hire of draft animals, by the Director of the National Park Service.

On amendment no. 132: Appropriating \$110,000 for defraying the deficits in the treasuries of the municipalities of St. Thomas, St. John and St. Croix, Virgin Islands.

On amendment no. 133: Making available from and including July 1, 1937, appropriations contained in the act, and ratifying obligations incurred between June 30, 1937, and the date of approval.

On amendment no. 134: Correcting a section number.

JED JOHNSON,

J. G. SCRUGHAM,

JAMES M. FITZPATRICK,

CHAS. H. LEAVY,

Managers on the part of the House.

Mr. McLEAN (interrupting the reading of the conference report). Mr. Speaker, I ask unanimous consent that the further reading of the report be dispensed with.

The SPEAKER pro tempore (Mr. WARREN in the chair). Is there objection to the request of the gentleman from New Jersey?

Mr. RICH. Mr. Speaker, reserving the right to object, may I say if the membership of the House will listen to the reading of this conference report they will note that the amendments considered in this report show that the managers on the part of the House of Representatives conceded on practically every point and increased the expenditures materially. I think the House ought to have this information and the only way they can get it is to listen to the report. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk concluded the reading of the conference report.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. O'NEAL].

Mr. O'NEAL of Kentucky. Mr. Speaker, because I was a member of the conference committee and did not sign the conference report, and being the only Democrat who did not sign it, I feel I should make a statement relative to the conference report, giving the reasons and the causes why I took the position I did.

It has been a very interesting thing to me to watch the progress of this bill from the time the committee considered

it. I would appreciate if the Members of the House would listen to the story I am going to tell in reference to this bill, because I think there are certain lessons and deductions that can be drawn which might be beneficial for the future conduct of business in the House.

Mr. Speaker, the Interior Subcommittee labored for weeks to present to the House a bill which might show an effort to economize in line with the President's message and the crucial, critical condition of our financial affairs. The final result which is presented today as a conference report and recommendation is a travesty, and if understood by the people of America would be taken as a striking example of our incapacity to practice self-restraint where our own sectional benefits are involved. Having an optimistic nature, one ray of hope shows through, and that is the possibility that this Interior conference bill, so outrageous and so contrary to sound business methods, may help to awaken Congress to watch every item in bills coming before it. Perhaps it may, as a horrible example of extravagance and exchange of favors, bring us to a better analysis of why we are more and more in the red. My remarks are not directed at the members of my committee; as the sole Democrat dissenter, I am under suspicion that I may be wrong; but, holding the views that I do, I am unable to be in the more agreeable position of going along with my colleagues.

I would like for the House to hear the story of this bill.

The Bureau of the Budget sent estimates to the committee in the beginning of \$120,612,604.85.

Our subcommittee, after great and severe labor, brought the bill to the House for the amount of \$115,871,264.85.

In other words, our committee by zealous effort cut off \$4,741,340.

And then the House proceeded to undo the long weeks of labor by increasing the bill to the amount of \$123,001,304.85. This was \$2,388,700 over the Budget, and it increased the bill which the committee presented by \$7,130,040.

The committee justly felt that it had wasted weeks of labor. You will recall the larger items which were inserted on the floor of the House, which destroyed the efforts of the committee and made economy seem a mockery. Further, if certain items amounting to a large sum had not gone out on points of order in the House, the increase over the Budget and the bill as presented would have been even larger.

And then the other body took the bill, and added 134 amendments, some involving no money increases, some for small increases and some for large increases, and practically none for reductions. The amendments, if you will read the CONGRESSIONAL RECORD, in almost every case were presented and adopted without explanation, speeches, arguments, or discussions. There are many interesting sidelights which I cannot discuss, but the sum total of the job of plastering and patching the Interior bill was as follows:

The amount of 1938 bill as passed the Senate was \$136,054,879.85.

You will recall that the snowball which the House sent to the Senate was for \$123,001,304.85.

So the bill which passed the Senate as quietly and smoothly as a moving shadow was an increase over the House bill of \$13,053,575.

Incidentally, in this year of rigid economy, the Interior appropriation bill came from the Senate \$11,653,738.39 more than the Interior bill of the year before.

As just stated, the Senate bill was over the House bill \$13,053,575.

It is but fair to state that the Bureau of the Budget sent supplemental estimates to the Senate, for such things as the National Bituminous Coal Commission in the amount of \$3,851,000, which leaves an actual difference between the House bill and Senate bill of \$9,202,575.

And then this Santa Claus affair was sent to conference. Those who conferred for the other body and the States from which they came can be seen in the conference report.

There was great harmony and unanimity among the conferees of the other body. Save for the chairman, hardly anything was said by others, except on two or three items apiece, at which time they were quite firm.

In order not to be too long in commenting on this interesting game of human nature and I will chase you if you will chase me, the conferees agreed upon a bill amounting to \$133,298,999.85.

Amount of all Budget estimates was \$124,463,604.85;

And the increase in the bill now coming to you out of conference over the Budget estimate is \$8,835,395;

And the increase over own overloaded bill is \$10,297,695, inclusive of the Bituminous Coal Commission.

Mr. Speaker, I dislike to quote figures, but they are more eloquent and more exact than anything I could say on this subject. There is another set of figures I must mention:

The net amount that our committee caused the Senate to recede in was \$2,755,880.

The net amount that the Senate conferees caused the House to recede in was \$10,297,695.

Again it is but fair to state that four million should be deducted for the supplemental Budget estimates, which still would leave six million plus that our committee receded from.

And so, Members of the House, here is the conference report before you, \$133,298,999.85, which came to you first from our subcommittee in the amount of \$115,871,264.85, a difference of \$17,427,735.

Through the enthusiastic cooperation of all concerned from the time the bill first reached the House until the prodigal son returned to it, you will hardly recognize it. And so it was with regret that I could not sign the report and that I cannot vote for it now.

In the short time at my command it is impossible to deal with this subject adequately. I would like to discuss my reasons for believing that the conference agreements do not protect the actions and the will of the House. In my opinion, conferees are attorneys in fact to represent the House, and should fight to maintain its position, compromising only where there is no other solution. The House committees have extensive hearings and studiously arrive at a figure which they believe to be fair to the department presenting it and fair to the taxpayer. The bill leaves the House and the department calls a Member of the other body and states that his department needs the original amount. The conferees meet, and on almost every item the department secures, by way of compromise, an additional sum over the House figure. In my opinion, the conferees should not feel that every item should be adopted, but an effort should be made to retain the amount arrived at after hard study, and reason should govern.

Moreover, there are in this bill, and most bills, items which have not been studied by any committee, and are only the personal wishes of some influential man. Occasionally there might be a situation where some circumstance has prevented the presentation of a matter by hearings to the House or to the Budget, but that is rarely the case. I am unwilling to vote for any amendment, not classed as an emergency, which could have been presented to the Bureau of the Budget or to the proper committee of the House for study and was not so presented. This bill includes several items which were not presented to the Budget and the House committee, and which could have been. In my opinion the House conferees should not have agreed to them and the House should not now agree to them. We should demand good business methods and a fair time to study each proposed expenditure.

One thing more: Every project should be fairly and frankly presented to this House for authorization. If it cannot pass on its merits it should not come through an appropriation bill. A small start by way of an appropriation sometimes seems so innocent, but it often results in an involvement of millions of dollars.

In conclusion, there are several amendments which must come to you for action. I trust that in the interest of the proper conduct of business, orderly procedure, and the integrity of the House you will not vote to recede and concur.

Mr. COCHRAN. Will the gentleman yield?

Mr. O'NEAL of Kentucky. I yield to the gentleman from Missouri.

Mr. COCHRAN. Is it not true there are 29 amendments in disagreement in this conference report, each and every

one of which would have been subject to a point of order if they had been presented in the House, because they were legislation on an appropriation bill not authorized by law?

Mr. O'NEAL of Kentucky. There are several such, the exact number I do not remember.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 12 minutes to the gentleman from New York [Mr. FITZPATRICK].

Mr. FITZPATRICK. Mr. Speaker, I dislike very much to have to disagree with my friend the gentleman from Kentucky, but I feel the conference report as brought in here is fair and just. Let us take some of the figures.

The Department of the Interior made a request for \$193,479,983.85. That was the total of its request. The Budget recommended \$124,463,604.85. The subcommittee recommended to the House \$115,871,264.85, some seven or eight million dollars less than the Budget estimate.

What happened on the floor of the House? You voted for \$11,400,000 above the Budget estimate for vocational training. Assuming the House had not approved that item, we would now be under the Budget estimate by four or five million dollars. You can therefore see this increase in the Budget was made by the Members of the House.

Later on we passed the coal bill, which increased the appropriation \$3,900,000. Now they find fault because a bill comes in here with appropriations involving \$133,298,999.85. Mr. Speaker, last Friday in less than 30 minutes we passed a bill authorizing \$50,000,000 for the Navy without a word of protest from any of the economists who are now against this appropriation. They are going to make their fight on three or four recommendations of the conferees. One involves the Gila project and the other the Colorado River project.

I attended all the meetings of the subcommittee which considered the Interior Department appropriation bill. I was greatly impressed by the Members of the House from the various States when they came in and asked for appropriations for reclamation projects. It brought back to me a trip I made through that part of the country in 1931. I, with my family, traveled through that section, not at the expense of the Government, not on a junket, and not entertained by chambers of commerce or other organizations, but at my own expense. I will never forget traveling through the San Joaquin Valley in California in an observation car and seeing thousands of acres being burned up and beautiful homes vacant. I asked passengers on the train and the railroad men what was the cause of this condition. They said, "Water. If those people had water, they could work their farms and make a living."

I was so impressed by this condition at the time that when our hearings took place I asked many questions of the witnesses that appeared before the committee on reclamation projects. When the Gila project was brought up I asked the gentleman representing the Bureau of Reclamation if what would be produced on the new acreage would come in competition with other farm products throughout the country. He said nothing of which we had a surplus would be produced there, such as grain, corn, or cotton; but that these acres would produce fruits during a season when we could not get them in the North, East, or Northwest. I was impressed by this statement, and for that reason supported the Gila project in Arizona. The provision covering this project was knocked out in the House by a point of order as a result of objections by Members from the five upper States. Today these Members are not opposed to the project because provision is made to take care of the five upper States.

There is also in the bill an appropriation for the Colorado project. I visited that State in 1931. I realized what was taking place on the east side of the Rockies due to the lack of water. For years they have been trying to get relief on the east side of the Rockies, but because of a fight within the delegation they could never get together. Now the Members from the west side of the Rockies are united with the Members from the east side of the Rockies in an effort to give the latter this water. On the east side of the Rockies there are 175,000 farmers crying for water,

for which they are willing to pay. The cost is not paid by the taxpayers, because the money comes out of the reclamation fund.

Only last night a Member of the House said to me, "Jim, I think they are deserving of this project, but it will destroy that beautiful park." What a false impression, to think that digging an 8- or 9-foot tunnel from 800 to 4,000 feet below the surface would harm the trees on the surface! Nevertheless, you and I are receiving letters from people throughout the country asking us to vote against the Colorado project because it may destroy some of the trees. The thing is ridiculous. This man said, "The water would seep down." Mr. Speaker, under the East and the North Rivers in our great city of New York we have tunnels, and the water is not seeping down. It will not seep down from the Rockies if we bring this water in to take care of 175,000 farmers.

I, from an eastern section of our country, am 100 percent behind these reclamation projects for which the people themselves are paying, as long as they bring relief to the farmers in those districts. [Applause.]

They talk about economy. Any man who votes against this reclamation project because of a desire for economy is following a false trail, because there is no economy in it. If the farmers out in those States are prosperous, we in the East and in the North will benefit by it. Why should we not go along with these men and give them the relief they need—water? I am speaking from my experience in traveling through these States. For that reason I am here today pleading with you not to follow the men who last week voted without a word for an expenditure of \$50,000,000 but who are today going to oppose the spending of \$900,000 and \$1,125,000 in order to bring water to the distressed farmers of our country.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. Does the gentleman state the cost of the Big Thompson project is a charge on the reclamation fund?

Mr. FITZPATRICK. Yes; \$20,000,000. We may go into the power business, but \$20,000,000 will be charged to the reclamation fund. The same thing is true of the Arizona project, that the cost will be charged to the reclamation fund.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. RICH. Had the gentleman ever heard of the Big Thompson project before he went into conference with the Senate conferees?

Mr. FITZPATRICK. Yes; it has been discussed in this House for years. I have heard our good friend the gentleman from Colorado [Mr. TAYLOR] discuss it. He had been opposed to it, but now he is in favor of it, as any Member of Congress from that part of the country should be.

Mr. RICH. Was the project ever authorized in any way by Congress?

Mr. FITZPATRICK. No; except that hearings were held on it in the Senate, and the Senate committee reported it unanimously.

Mr. DUNN. Mr. Speaker, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. DUNN. Did I correctly understand the gentleman to say the Colorado project will benefit about 175,000 farmers?

Mr. FITZPATRICK. One hundred and seventy-five thousand farmers on the east side of the Rockies.

Mr. DUNN. Then I am for the bill.

Mr. FITZPATRICK. I do not blame the gentleman.

Mr. O'NEAL of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. O'NEAL of Kentucky. The gentleman fails to mention the fact the Big Thompson project was not only discussed here but was defeated when the appropriation bill which contained that provision was under consideration.

Mr. FITZPATRICK. I was not on the committee last year and do not know whether this bill was discussed or not, but I understand it was.

Mr. O'NEAL of Kentucky. The project came up in the conference report last year. Chairman Buchanan made a fight against it and the House turned it down.

Mr. FITZPATRICK. Why?

Mr. O'NEAL of Kentucky. For the same reason, I hope, the House is going to turn it down this year.

Mr. FITZPATRICK. This is like the fight that was made on the Central Valley project.

A man appeared before our committee and tried to get some of the southerners to go along because they were raising cotton. I brought out from this man the fact that the reason they were raising cotton in southern California was because they could not get sufficient water to raise anything on the land except cotton, and if they had sufficient water they would not produce cotton but would produce citrus fruits.

For the reasons I have just stated, I am supporting these items in the bill.

Mr. HILL of Washington. Mr. Speaker, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. HILL of Washington. Was not the Colorado project defeated last year because of division between those in the eastern and western parts of Colorado?

Mr. FITZPATRICK. I stated that was the reason the bill was not passed years ago, but today they are united, and our good friend the chairman of the Appropriations Committee [Mr. TAYLOR] is in favor of this project.

Mr. SWOPE. Mr. Speaker, will the gentleman yield?

Mr. FITZPATRICK. I yield.

Mr. SWOPE. I understood the gentleman to say that this money is to come from the reclamation fund. Does the reclamation fund have this amount of money in it now?

Mr. FITZPATRICK. They have for this year around \$11,000,000, and the two projects only call for the spending of a little more than \$2,000,000 this year.

Mr. SWOPE. But the ultimate cost of the two projects will be \$25,000,000 and \$19,000,000, or \$44,000,000 in all.

Mr. FITZPATRICK. There will be sufficient money in the funds when the project is completed to meet the \$44,000,000. In conclusion, I am going to ask the Members of the House to listen to the arguments made here today and not to pay any attention to the lobbyists receiving salaries from organizations who are going around here asking us to save the trees and destroy the farms. Let us protect and save the farms in preference to the trees, that are not in any danger. [Applause.]

Mr. SCRUGHAM. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, I agree with the statement made by the gentleman from Kentucky [Mr. O'NEAL]. He is a statesman. I want to call the attention of the House to the statement on the first page of the conference report on the Interior Department appropriation bill for 1938, which says, "having met, after full and free conference, have agreed to recommend and do recommend", and so forth. After full and free conference!

I first should call your attention to the fact that this conference report is signed by four members of the House committee, three members of the House committee refusing to sign the report.

When we were placed on this committee by the Speaker of the House we only had one object in view, and that was to try to do what was for the best interests of the Interior Department and for the best interests of the country. Personally—and I feel that I speak for the other members of the committee—we had no object in view of any kind except to meet the needs of the Interior Department. I want to help the Interior Department; but I may say to the Members of the House that we spent over 1 month up in a room in a corner of this Capitol Building, working diligently practically every day for hours, going over the various items that were in the bill as it was reported to you by the com-

mittee. We listened to the people who came there to tell us why they needed this particular money in the conduct of the affairs of the Interior Department. Here are the hearings—over 1,700 pages—that we had printed; but after we had held our hearings the chairman of the committee, time after time, told us we could not put into print all the hearings that had been conducted in that room, so we deleted all we possibly could. If we had not done that we would have had a book, I venture to say, twice as large as the one I have before you. The Senate held hearings for a few days, and here are the complete hearings of the Senate—470 pages.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield there?

Mr. RICH. Let me make my statement, and then I shall yield.

What happened? If you will look over this report you will see that the Senate has receded on 27 items, the House has receded on 50 items, and the House has a compromise on 28 items.

We met in our committee on the 1st of July, after we had a conference with our full subcommittee. We decided we would meet in our committee room on the 1st of July at 9 o'clock in the morning, which we did. For 1 hour we discussed the procedure we would follow on the conference. We met the Senate in joint session at 10 o'clock that day and were in session from 10 o'clock on for the balance of the morning. In a few moments we decided to get down to the bill and very little conference was had with respect to what the procedure would be. We decided we would wait until we saw what the conference with the Senate would amount to. We discussed the various items and went back into session at 1:30 and by 6:30 the majority members of the House and Senate committee railroaded this bill through conference. If anyone says we had a full and free discussion of the bill, then I do not know what the term means, because I can tell you that time after time we tried to get recognition, but all they did was to railroad this bill right through the conference.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. RICH. Just a moment, until I give you a few more statements. The gentleman from New York [Mr. FITZPATRICK] knows very well that we are not here trying to make statements that are not founded on facts. If we had been given time, I certainly would not be here trying to get Members of this House to realize that we did not have a full and free discussion, but this bill has been railroaded through the conference committee, with very little discussion. We had very little discussion on the items that we would like to have had discussion on. Many times Members of the House conferees tried to get up and ask for recognition, but the chairman of the committee, for some reason or other, seemed to side in with the Members of the Senate, and they were practically a unit, and they said O. K., and we could hardly get a vote on some questions. I could tell you many other things that happened in this committee, but I do not want to take any individual to task, I may have a different opinion than other Members and they have a right to their own opinion, but I must be convinced before I will agree to a project that costs the Government a lot of money, it must be a worthy project.

I call attention now to some of the items in this conference report. The Bituminous Commission is set up with \$3,921,000. Nothing had ever been discussed in the House committee in respect to any request for this money.

Mr. FITZPATRICK. Is it not a fact that that bill was passed after the committee had been appointed and it could not consider it?

Mr. RICH. I say we did not even consider it. Not in conference fully as it should have been.

Mr. FITZPATRICK. Is it not a fact also that the hearings in the House were over and that the Senate members of this committee went over the House hearings and picked out that part they thought should be amended, and they yielded in over 90 percent on what we passed in the House?

Mr. RICH. The gentleman knows when they establish a commission they always try to ask for as much money as they can possibly get, and when they asked for \$3,920,000 we believed they asked for too much money to start out with this commission, because we will be in session here in January and if they need additional funds before they set up an elaborate body for the conduct of the commission, we could then grant them an additional fund, and we believed that would be a part of wisdom, especially after the President of the United States says he wants economy. We do not, as legislators, use good, sound judgment in granting such exorbitant expenditures in this set-up.

In this connection I just cannot help calling attention to the statement of the Treasury of July 9 of this year, beginning July 1, 1937. You say we are going to have economy. What is the result? In the first 9 days of this new year we spent \$40,000,000 more than we spent in the first 9 days of last year, and yet we talk about economy with a national debt of \$36,544,661,686.37. You gentlemen know the amount of money that we went in the red last year—over \$3,000,000,000.

This committee worked hard to cut this bill down, and to think that we went over into the Senate, and let them railroad it through and put many of these increases in this bill, many that we did not have time to discuss. They are new projects that were put into the bill by the Senate and members of the House committee did not know about before we went into conference. Take item no. 14. That was increased \$50,000; item no. 17, for the survey of public lands, was increased—let us see how much. We put \$675,000 down, and we thought that that was a lot of money for surveying public lands. The Senate increased that to a million dollars, and the Members of the House who signed the report agreed to it—\$325,000 more than it should have been, in my judgment. No. 42 is new language, and it gives the Indians the privilege of employing attorneys. Although we have in the Interior Department and the Indian Bureau attorneys, these Indians can go out themselves and employ lawyers to fight the lawyers the Federal Government has in trying to handle the affairs of the Indians. No. 47 is a new project, requiring \$51,270, that we knew nothing about. No. 48 is a new project requiring \$200,000; 49 is a new project, requiring \$50,000; 50 is a new project requiring \$100,000; 52 is a new project requiring \$60,000; 58, a new project increasing the amount to \$55,000 over what was considered by the House; 61, a new project increasing it \$90,000; 64 is a new project increasing \$80,000; and 75 is a new project increasing \$10,000. Item 77 increases the money for roads in the Indian Bureau from \$2,700,000 to \$3,000,000. Item 78 is new language in the bill, \$30,000; 79 is new language, \$21,000; 80 is new language, \$30,000; and 81 requires \$75,000. These items 78, 79, 80, 81 are nothing but salve for the Senators with which to salve their representatives, and vice versa. Eighty-one is new language, \$75,000; 83, new language, \$30,000; 84, new language, \$62,350; 121, \$16,500; 122, \$22,000; 129, \$176,000. Your committee carried on and tried to work for economy. See what the Senate did to us. We went over there, and the conference was railroaded through in 6 hours. We figured it would require at least 2 days. I say that it is mighty discouraging to the men you have in the House who try their best to do a good job in keeping down the request for funds from these departments. It is disheartening. It is a shame that all of our hard work is thrown overboard and all the money we tried to save is now being spent in this conference report.

I hope that when we reach some of these items in the bill later in the day you will give the matter very careful consideration. The Big Thompson project in Colorado has never been approved by this Congress. It was never presented to a House committee. You will be asked to appropriate \$900,000 to start that project. It will require \$44,000,000 before it is completed. There are items in the bill that will require twice as much as the bill itself before they can be completed. You Members should be very careful and very cautious in starting

these projects that will involve the expenditure of millions of dollars later on and which will be a boomerang to this Government. I hope the chairman of the committee will give time to consider these amendments and you will have an opportunity to vote on them.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. CRAWFORD. Will the cost of the Big Thompson project come out of the reclamation fund?

Mr. RICH. No. It is not so stated in the bill.

Mr. LEWIS of Colorado. Oh, Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. LEWIS of Colorado. I call attention to the language on page 85, lines 16-23, of the bill itself. This language, which introduces a number of reclamation projects, among them the Colorado-Big Thompson project, is as follows:

Construction: For continuation of construction of the following projects in not to exceed the following amounts, respectively, to be expended from the reclamation fund under the same general conditions and in the same manner and for the same objects of expenditure as specified for projects hereinbefore in this act under the caption "Bureau of Reclamation", and to be reimbursable under the reclamation law.

The gentleman from Pennsylvania, who has so carefully studied this bill, ought to know what language the bill contains.

Mr. RICH. Study the bill. We have not had a chance to study the bill. It came into the conference report. We never saw it before that time. We never knew anything about it. That was an agreement made by the gentleman from Colorado on the Gila project and the Big Thompson project, and those fellows from Colorado and New Mexico recently made a compact or agreement to get both projects through in this bill, and Mr. Lewis is the gentleman who knocked the Gila project out on a point of order. Now they have got together and they want to jam it down our throats. [Laughter and applause.]

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania [Mr. RICH] has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Speaker, I hope the House will do the unusual thing by defeating the general conference report. I think we ought to make an example of this proposition and defeat this conference report and send it back. Before we went into conference I announced one day on the floor that the Senate had put on 134 amendments. When I went over there, after 2 days here, they took me to task for what I put into the Record about their having had only 10 hours of hearings. Another Senator spoke up and said, "Why, I did not suppose we had had that much." We had had 30 days' hearings on these matters. We know that they did not actually have over 10 hours' hearings.

Mr. BIERMANN. Mr. Speaker, will the gentleman yield?

Mr. LAMBERTSON. I yield.

Mr. BIERMANN. And after you had those extensive hearings you brought in a bill carrying \$115,000,000 and the House increased it to \$123,000,000, and now the conference report comes back increasing it to \$133,000,000. As the gentleman says, we ought to defeat the conference report.

Mr. LAMBERTSON. I think we should defeat the conference report. I have real affection for these four men who signed the conference report. I like them. I have served with them. The House committee met for over 2 days to consider what their position would be when we reached the Senate. It was unfortunate that our chairman during most of that time was attending a Democratic steering committee meeting and was not in on our decision very much. So when he went to the Senate to lead us—

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield right there?

Mr. LAMBERTSON. Yes; I yield.

Mr. FITZPATRICK. Is it not a fact that the chairman of the subcommittee stood by what the committee had agreed on?

Mr. LAMBERTSON. Yes; but the gentleman did not let me finish. I agreed to that, but when we got to the Senate the chairman of the subcommittee was not thoroughly informed on what the committee had decided to do, and he did not stand up on his hind legs and fight. That is what he did not do before that Senate committee.

Mr. FITZPATRICK. Will the gentleman yield further?

Mr. LAMBERTSON. I yield.

Mr. FITZPATRICK. How many of these amendments were corrective amendments, just to correct totals?

Mr. LAMBERTSON. Only a few of them.

Mr. FITZPATRICK. Does not the gentleman think the Senate should have something to say on an appropriation bill?

Mr. LAMBERTSON. The Senate has everything to say. That is why we want to send this back. I hope the gentleman will let me make my speech.

Mr. FITZPATRICK. We do not want to simply send it over there and let them take a rubber stamp and stamp it.

Mr. LAMBERTSON. The Senate has this habit. They are commendable on a lot of things, but they have a habit of increasing every House item that any Senator asks for. That is senatorial courtesy on an appropriation bill—to put in the bill what any Senator asks for. They increased practically every item. I am complaining about it because we agreed to let them have their way on about four-fifths of them. Now, the point is, shall we stand for this sort of thing? We should not do it. One Senator said to us, "Why, it is only \$133,000,000. Look at the Army and Navy bills."

I find there are three types of men on the appropriations committees. There is the type of man who wants to save; there is another type of man who gets on the committee because he has some purpose to serve, who thinks that that is the chance to get some money; and there is a third type of man who thinks that is a good way to distribute the wealth of the Nation.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. LAMBERTSON. Not for the moment.

Mr. FITZPATRICK. The gentleman made an assertion there.

Mr. LAMBERTSON. Yes; I did.

Mr. FITZPATRICK. I live in an eastern district and, therefore, have nothing to gain. Did not the gentleman vote for over \$11,400,000 in excess of the Budget recommendation?

Mr. LAMBERTSON. No; I did not; I was not here.

Mr. FITZPATRICK. Well, the gentleman would have voted for it.

Mr. LAMBERTSON. Oh, I would not. I tried to amend the bill both in the subcommittee and in the whole committee. I pointed out how they could save \$4,000,000 if they would make the item for vocational education \$10,000,000. I offered such an amendment both in the subcommittee and in the whole committee, but was defeated each time. I was not here to vote on the passage of the bill.

Mr. FITZPATRICK. But the gentleman would have voted for it.

Mr. LAMBERTSON. No; I would not. I would have offered an amendment as before.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. LAMBERTSON. Yes.

Mr. LEWIS of Colorado. Is my understanding correct that the gentleman is an advocate of economy?

Mr. LAMBERTSON. I try to be. I am not here to serve my district or State in a selfish way.

Mr. LEWIS of Colorado. Did the gentleman vote to override the President's recent veto?

Mr. LAMBERTSON. Yes; in the interest of economy.

Mr. LEWIS of Colorado. But that will cost the Government something like \$40,000,000 a year.

Mr. LAMBERTSON. It was in the interest of Colorado farmers, as all others, to keep them off relief.

Mr. LEWIS of Colorado. That is all right?

Mr. LAMBERTSON. That is all right. Why, we could save that whole extra expense out of the St. Louis-Jefferson Memorial alone. [Laughter and applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I had not intended saying a word on this report, but since my genial friend the distinguished gentleman from Kansas criticized the report and the personnel of the conference committee, and criticizes the acting chairman of the committee, and charges me with spending some time at a Democratic steering committee meeting during a part of these hearings, I think I should make a brief statement.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield for just a word?

Mr. JOHNSON of Oklahoma. In just a minute.

It is true that I happen to be chairman of the Democratic steering committee of the House. It is not a Democratic caucus by any means. I was away only twice in the 5 weeks of the hearings on the pending bill. I excused myself and turned the hearings over to the next ranking member to attend, for a few minutes, meetings of the House steering committee, before which some very important legislative matters were being considered, one being the farm-tenant bill. It will be recalled that it was at a steering committee meeting we got Chairman JONES and Chairman BANKHEAD together, both of whom had farm-tenant bills pending, and it was in our committee that agreement was reached that a farm-tenant bill would actually be passed during the present session of Congress. Certainly I shall not apologize to the gentleman from Kansas or anyone else for the humble part I played in getting action on the farm-tenant bill or for attending briefly two meetings of the steering committee while the other Members of the House considered some items of the Interior bill.

It has been charged here today, as usual, that the House Members of the conference committee surrendered everything to the Senate. The distinguished gentleman from Kentucky [Mr. O'NEAL], for whom I also hold a high regard, made a very excellent speech in opposition to the adoption of the report. But if I did not misunderstand him, he stated that the House had receded on practically every amendment. The fact is that the Senate receded on 27 amendments and that the House receded on 25 other amendments with amendments. This means that the Senate receded outright on 27 amendments and receded in part on 25 amendments. This makes a total of 52 amendments on which the Senate actually receded in whole or in part.

I may say to the gentleman that the bill was not altogether satisfactory to me when it left the House. I will go further and say it is not as satisfactory to me now as it was when it left the House. I think, however, that I used every possible effort to get the Senate to go along with us on all those amendments where it was possible to do so, but we must recognize that there is another body at the other end of this Capitol. It is my judgment that the Members of the House conferees brought in the very best report it was humanly possible to bring to this body under the circumstances.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. RICH. I know that the gentleman wants to be correct in his statements.

Mr. JOHNSON of Oklahoma. Absolutely.

Mr. RICH. The Senate receded on 27 amendments.

Mr. JOHNSON of Oklahoma. That is correct, and the Senate receded on 25 other amendments in part. That was my statement, and I stand by it. This makes a total of 52 amendments on which the Senate receded in whole or in part. Is not that correct? The House receded on 50 amendments.

Mr. RICH. That is right.

Mr. JOHNSON of Oklahoma. Certainly that is correct, and that was my original statement.

Mr. O'NEAL of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. O'NEAL of Kentucky. If the Speaker please, I made no comment on the number of amendments on which we

receded, but I did make the statement that the House receded on over \$10,297,000 and that the Senate receded on \$2,755,000. Of that amount, in all fairness, \$4,000,000 was for supplemental estimates, leaving a total recession on the part of the House of \$6,000,000.

Mr. JOHNSON of Oklahoma. That is a correct statement. It is also true that there were many supplemental estimates which went over to the Senate after the bill was considered by the House. Those supplemental estimates are responsible for a number of these amendments upon which we are to vote today.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York, a member of the committee.

Mr. FITZPATRICK. Is it not the fact the amendments added by the Senate were added upon the recommendation of Senators who were elected by the people, while the amendments of the House, carrying some \$11,000,000, were put on there by lobbyists sitting up here in the gallery? I prefer the elected officials at any time for increases in appropriations in preference to lobbyists.

Mr. JOHNSON of Oklahoma. Of course, that is a matter of opinion. Personally, I feel the appropriation for vocational education was one of the best appropriations made by the House. We are not of the same opinion, of course, with reference to many of these amendments. I am not apologizing for a single amendment in this report. It is the best report the managers were able to bring in under the circumstances.

Mr. TABER. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. TABER. Does the gentleman have any information as to the amount the original Bituminous Coal Commission spent last year?

Mr. JOHNSON of Oklahoma. I do not believe the committee had that information, but as the gentleman well knows, the estimate of the Budget went over to the Senate after the House had passed the Interior Department appropriation bill; therefore the House had no opportunity to pass on that matter when the bill was pending before the House.

Mr. TABER. I appreciate that.

Mr. JOHNSON of Oklahoma. The Commission asked for \$5,000,000 and got \$3,600,000.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. I want to make it clear to the chairman that I tried to be fair. I want to say he was a faithful chairman all the way through the hearings. I said that during the 2 days we were digesting the thing and coming to a conclusion, the most important 2 days of the year, he was attending part of the time this Democratic steering committee.

Mr. JOHNSON of Oklahoma. Frankly I am somewhat amazed at the statement of the gentleman from Kansas. If I desired to do so, I might point out that if I had missed as many of the hearings as did the distinguished gentleman from Kansas, I would be the last man to criticize or attempt to scold someone upon the floor of the House. The record speaks for itself. It is a fact that the Democratic steering committee meets every Tuesday afternoon at 2:30, and I am very proud to be chairman of that very important committee. It is not a Democratic caucus, as the gentleman appears to think. The House steering committee considers pending and proposed legislation before the Congress. It is true that two afternoons, and two only in the 5 weeks of our hearings, I attended steering committee meetings for possibly an hour each time. Of course, I made a mistake. I should have asked the gentleman from Kansas for his permission to leave.

Mr. LAMBERTSON. We were meeting at that time, and it is just a question whether the chairman considered the Democratic steering committee more important than the

deliberations of the committee on the Interior Department appropriation bill.

Mr. JOHNSON of Oklahoma. Of course, there are matters of grave importance that are discussed by the steering committee, but what in the world does that have to do with the issues involved in this bill? Personally I have the highest regard for the gentleman from Kansas, and am not interested in how many of his Republican Party caucuses he may or may not attend.

Mr. LAMBERTSON. May I ask of you, Mr. TABER, if it has not been your observation that the Senators invariably practice this thing of increasing appropriations over the House? Then they claim all the patronage because of the increases they have put in the bill; is that not so? Have not you Democratic Members of the House found out that the Democratic Senators claim the benefit of all the patronage? Yes; you do.

Mr. TABER. Mr. Speaker, I do not yield further.

I call attention to the fact that as a result of the operation of this conference report which we are going to vote on in a moment, the appropriation bill as passed by the House has been increased in 52 cases to the extent of \$6,618,000, and reduced in two cases to the extent of \$12,500.

Is that not commentary enough upon the conference report? It seems to me we ought to vote it down and not swallow all of these big increases. All along the line increases seem to be in order, but we are never going to make progress toward balancing the Budget unless we begin cutting down. I hope, therefore, the House will reject the conference report.

There are a great number of amendments in disagreement, and the vote on the conference report has nothing whatever to do with the amendments in disagreement. Those amendments will come up separately and will be discussed separately. This thing involves just the differences in amount of various authorized projects. The projects that are not authorized by law will come up separately.

Mr. Speaker, I hope the House will vote down the increases that the Senate has put in this appropriation bill, to which the conferees have agreed, so that we may get somewhere toward stopping this continual rise in governmental expenditures. [Applause.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3½ minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, I rise at this particular moment because in connection with the general debate that has taken place with reference to economy I have a little something I desire to put in the Record. I appeal to you to read it.

It will be recalled that in the first part of the session I offered seven resolutions to investigate seven different trips to Europe—sometimes they are called junkets. You will recall that all those resolutions were immediately tabled and I was told that I should have been satisfied with the brief letters received by the committees from the particular departments involved. However, I pursued the investigation of some of those matters and have some information that may be of interest to the House.

The cooperative marketing cruise, headed by one Jacob Baker, is most interesting. Mr. Baker was formerly with the W. P. A., but you will recall that he is now with John L. Lewis. His past record of activities are interesting and will lead you to believe that he has at last found his proper sphere. The Comptroller General has finally considered the expense involved on the trip and reported to me. I will place the report in the Record, showing the illegality in the use of these funds. I understand the trip was financed at the request of the President of the United States in spite of the act of Congress limiting relief expenditures to be made only within the borders of the United States and its possessions.

We thank the Comptroller General and I urge you to read this report, because it may have taken a little courage at this time to make the decision. The Comptroller General has determined that these funds were earmarked and

could have been spent only within the United States, as Congress itself had decreed. He is now calling upon the individuals who made the trip to make good the money they individually spent. In the RECORD you will find the letter stating their defense of the expenditure.

I rise at this point in order that you may know we do not give up investigations immediately, although it is with very great difficulty that you can pry any information of real value from any department of the Government relating to such activities. May we continue to keep and avail ourselves of the office of Comptroller General! [Applause.]

Mr. Speaker, the letter to which I have referred is as follows:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, June 14, 1937.

PRESIDENT, FEDERAL SURPLUS COMMODITIES CORPORATION,
1901 D Street NW., Washington, D. C.

SIR: Your letter of June 3, 1937, is as follows:

"Receipt is acknowledged of your letter of April 1, 1937 (file A-84565) in connection with the direct settlement of vouchers covering claims for travel and other expenses during the period June 30 to September 22, 1936, by various individuals traveling to Great Britain and continental Europe for the purpose of making studies of cooperative enterprises in Europe as such enterprises affect the expansion of markets and the increase and improvement of the distribution of agricultural and other commodities and the products thereof, making inquiry as to the following matters: First, an explanation as to whether due consideration was given to the statutory restriction contained in section 2 of the Emergency Relief Appropriation Act of 1935 (49 Stat. 117), which limits the expenditure of funds appropriated therein for use only in the United States and its Territories and possessions; second, an explanation as to how the travel in anywise accomplished the purpose and policy of the Corporation; and third, the authority for using the funds in question to pay losses due to unfavorable rates of exchange.

"The first inquiry appears to assume that funds now on deposit to the credit of the Federal Surplus Commodities Corporation consist of funds either appropriated to the Corporation from the Emergency Relief Act of 1935 or appropriated to the Federal Emergency Relief Administration by that act and subsequently granted to the Corporation by the Federal Emergency Relief Administration. The Corporation has never received any appropriations from Congress, nor has it received any grants from the Federal Emergency Relief Administration. The only Federal Emergency Relief Administration funds which have eventually found their way into the treasury of the Corporation consist of funds granted by the States to the Corporation, and of these none were initially 1935 funds.

"Until November 16, 1935, when the control of the Corporation was transferred to the Department of Agriculture, the Corporation was financed exclusively by funds granted and assigned to the Corporation by the Governors of the several States and all of the Territories except Hawaii.

"Concerning the second point in your letter, namely, the connection between an inquiry into the methods of marketing cooperatives and the functions of the Corporation, there was quoted in your letter an excerpt from the United States Government Manual, which emphasized the principal activity of the Corporation as being the distribution of surplus agricultural commodities to State relief agencies. This is true as a generalization but is not descriptive of all of the functions of the Corporation.

"Prior to November 16, 1935, when the Corporation was under the control of the Federal Emergency Relief Administration, its policies were determined by relief consideration and it procured certain commodities which were not of agricultural origin. For instance, in the winter of 1933-34 it made distribution of 1,133,890 tons of coal and coke.

"However, with the transfer of control to the Department of Agriculture, the emphasis was shifted from relief to agricultural considerations, and the Corporation has been considered to have authority to engage in any operation consistent with the policies of the Department of Agriculture and not inconsistent with its own charter powers.

"Ever since the passage of section 32 of Public, No. 320, as amended, the Federal Surplus Commodities Corporation has cooperated closely with the Department of Agriculture in connection with the distribution of agricultural commodities procured by the Agricultural Adjustment Administration pursuant to said act. The charter powers of the Corporation which permit such cooperation are contained in the third article of the certificate of incorporation, which provides as follows:

"3. The nature of the business and objects or purposes to be transacted, promoted, or carried on by this Corporation are:

"(a) To relieve the existing national economic emergency by expansion of markets for, removal of, and increasing and improving the distribution of, agricultural and other commodities and products thereof.

"(g) To cooperate with any private, public, or governmental agency or agencies;

"(j) To enter into and encourage farmers, producers, and others to enter into marketing plans and agreements and to cooperate in any plan which provides for reduction in the acreage or reduction in the production for market of agricultural commodities; * * *

"Copies of the Corporation's charter and bylaws are on file in your office.

"The purpose of section 32 of Public, No. 320, Seventy-fourth Congress, as amended, is to relieve agricultural marketing situations by encouraging the exportation and the domestic consumption of agricultural commodities and products thereof. An inquiry into the methods of cooperative enterprises as they relate to the distribution of agricultural and other commodities and products was considered to be pertinent to certain agricultural and marketing problems. At the cost of financing such an inquiry by the Corporation did not appear to contravene any provisions of existing law, the advisability of having such an inquiry made was considered to be a matter within the field of administrative discretion.

"The third point in your letter for consideration is the authority for paying exchange losses sustained by employees on travel status in foreign countries. The act of March 26, 1934 (48 Stat. 466), which was referred to in your letter, authorizes appropriations to meet losses sustained by employees of the United States due to appreciation of foreign currencies in their relation to the American dollar, but said act does not authorize payment of any such losses. The authority for such payments is to be found in Amendment of Executive Order No. 6657-A of March 27, 1934, as amended, dated December 24, 1934. Section 2 of this Executive order reads as follows:

"The purpose of these regulations is to provide for reimbursement to officers, enlisted men, and employees of the United States (hereinafter referred to as employees) for losses sustained from appreciation of foreign currencies in their relation to the American dollar, as authorized under the aforesaid act."

"The fact that this Corporation never received any appropriation under the act of March 26, 1934 (48 Stat. 466), is not considered to preclude it from reimbursing employees for exchange losses pursuant to the Executive order cited above.

"Although the administrative expenses of this Corporation come under the supervision of the Bureau of the Budget by virtue of Executive Order No. 7126, as amended by Executive Order No. 7150, and appear regularly in the Budget of the United States, Congress never has appropriated any funds for this Corporation. Hence, if it is held that the Corporation may pay exchange losses only out of appropriated funds, there would appear to be no authority for payment of salaries and other administrative expense items, for the reason that the Corporation never has had an appropriation to meet administrative expenses.

"It is hoped that, in the light of this additional clarifying information, you will find that careful consideration was given to the propriety of the use of the funds of the Corporation to accomplish the purposes of the Corporation and to the payment of exchange losses suffered by employees on travel status in foreign countries."

Executive Order 7126 of August 5, 1935, as amended by Executive Order 7150 of August 19, 1935, required your Corporation to submit to the Bureau of the Budget estimates for administrative expenses. Based on such estimates, the Budget, 1937 (p. 46), discloses the source of your funds as follows:

Source of funds	Estimate, 1936	Actual, 1935
Transfers from States (through Federal Emergency Relief Administration):		
1934 obligated for 1935, regular relief		-\$7,351,785
Allotments received in 1935:		
Regular relief	-\$1,041,780	-45,501,000
Drought relief		-40,300,000
1935 allotment available in 1936, regular relief	-18,010,856	+18,010,856

While the funds in the special deposit account, Federal Surplus Commodities Corporation, were not appropriated directly to your Corporation, they nevertheless were initially federally appropriated funds and were granted to the various States for specific purposes of relief. In turning such funds over to your Corporation the States did not and could not enlarge the purposes for which they were originally granted. Obviously, their use for conducting investigations or studies in Europe which, if authorized, would otherwise have been chargeable to appropriations of the Department of Agriculture, or the Agricultural Adjustment Administration, is not applying such funds to the relief purposes for which they were granted to the States. It is not a question of what powers may be exercised under your charter, but a question of the proper use of funds which, when made available to your Corporation, were impressed with a definite trust. Section 32 of the act of August 24, 1935 (49 Stat. 774), as amended, referred to in your submission, which provides funds for use by the Secretary of Agriculture for certain purposes, did not confer any additional authority upon your Corporation nor authorize the use of its funds for the purposes of that section.

In view of the foregoing, no part of the amounts claimed by the 10 employees was properly chargeable to the special-deposit account of your Corporation, and insofar as the settlements

authorized the payment to the claimants of portions of the amounts claimed, the settlements were in error and will be revised and charges raised against the respective employees for the amounts paid thereunder.

In view of the foregoing, it is not necessary at this time to pass upon the questions of exchange loss or the allowance of per diem while on board ship when not provided in the travel orders.

Respectfully,

R. N. ELLIOTT,

Acting Comptroller General of the United States.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

The question is on the conference report.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 67, noes 52.

So the conference report was agreed to.

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to insert in my remarks the letter to which I referred.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment no. 5: Page 8, at the beginning of line 1, insert the following: "Furniture, furnishings, and equipment, new Interior Department Building: The provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) shall not apply to any expenditure authorized under this head in the First Deficiency Appropriation Act, fiscal year 1936 (49 Stat., p. 1619), when the aggregate amount involved is less than \$300."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move to recede and concur in the Senate amendment, and yield 10 minutes to the gentleman from Illinois [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LUCAS. Mr. Speaker, it is with the utmost modesty I confidently assert that I know the peak and issue of the constitutional story which is now being told to the American people through the medium of debate in the American Congress.

When conviction battles loyalty upon deep-seated and far-reaching human problems men's souls are always tried, but invariably conviction becomes the victor. To really know something through years of teaching and environment is to believe, and, Mr. Speaker, if we really believe enough in something fundamental and have the courage of our convictions, there is none who shall tell another what he shall do.

And so, as time augments the future records of this great Republic, those living Americans who have convictions upon the true independence of our three branches of government will read the able address of the distinguished chairman of the Judiciary Committee of this House and even at that late hour rise up and call him blessed. In his firmness there is an element of hope. There were none who could tell Judge SUMNERS what to do. Silent through many days of rancor and bitterness, this stalwart citizen steps to the forefront of the American stage and becomes one of its greatest actors in a combination of drama and tragedy, the result of which no man can foretell at this hour. With an allegiance to fundamental principles of American government, this brilliant lawyer and statesman advises the people of a mighty nation that all his legislative wealth is wrapped in one high and noble purpose. His entire speech is worthy of the most serious consideration by every American who is interested in the great cause before us. He speaks like the philosopher under whom I have been tutored throughout my life. It was with the deepest feeling for the future of free and independent America that he said that "the problems of this hour challenge us to produce the most united people and the most capable people who ever assumed the responsibility of government on the face of this earth." Mr. Speaker, these are words of warning and wisdom, and, while my love of life has never permitted me to look upon the dark side of

things, yet I sadly confess that I must concur in that prophetic utterance.

From a heart chiseled with sincerity and with the utmost candor, I ask why all of this is necessary. Is there a single Democrat in this historic hall who believes that a continuation of this fight will accomplish a single constructive thing? Ah, but, my distinguished colleagues, it is full of destruction. Mr. Speaker, unless those in power call a halt to this useless, selfish, and futile gesture I here and now predict that the evil path of this so-called progressive action may ultimately shatter the very foundations of American liberty and life. [Applause.] Mr. Speaker, if the admonition of the distinguished gentleman from Texas [Mr. SUMNERS] is not followed the Democratic Party will be split in twain and probably destroyed. It will be the beginning of the end of real constitutional government in this Nation. It will further impair and destroy the lives of great men that a free nation cannot afford to lose. Mr. Speaker, as our devoted and lovable chaplain said yesterday, I, too, pause here on the altar of prayer, praying that somebody somewhere will call a halt. [Applause.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 8: Page 9, after line 6, insert the following:

"GEORGE ROGERS CLARK SESQUICENTENNIAL COMMISSION"

"The George Rogers Clark Sesquicentennial Commission created by the joint resolution approved May 23, 1928, as amended, shall cease and terminate June 30, 1938, and the unexpended balances of the appropriations heretofore made for carrying out the purposes of such joint resolution, as amended, shall be available until June 30, 1938."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. May I say in connection with this amendment that the Commission has an unexpended balance of \$26,913, and wants an extension of time for 1 year. I am in hopes the chairman of the committee or someone will notify this Commission we will not continue it any longer at the expiration of the time in the bill. This question has been brought up here for 3 or 4 years now, and it is time the Commission completes its job. At the end of this extension of 1 year the matter ought not to be brought back again to the House of Representatives. If the Commission will complete its job within 1 year, which it should and must do, I do not think we will object to the amendment.

Mr. JOHNSON of Oklahoma. May I say to the gentleman I think he is absolutely correct. Insofar as I am concerned, and I think as far as the members of the committee on this side are concerned, we shall insist that this be the last money to be spent for this purpose, unless some unforeseen contingency arises which might make an additional expenditure absolutely necessary.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 12: Page 11, after line 16, insert the following:

"PETROLEUM CONSERVATION DIVISION"

"Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the act approved February 22, 1935 (49 Stat., p. 30), entitled 'An act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes', as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract steno-

graphic reporting services, rent, stationery, and office supplies, not to exceed \$1,000 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$4,000 for printing and binding, not to exceed \$500 for books and periodicals, and not to exceed \$14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, \$285,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. May I say that sometime ago we passed a law providing for the continuation of the Petroleum Conservation Division, under the Department of the Interior, and now they are asking for an appropriation of \$285,000. I think if the division is to function it will be necessary to have this provision included in the bill. There may be additional statements the chairman of the committee may wish to make in order that the House may know that this amount is in conformity with the law passed some few days ago.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 24: Page 19, after the word "Columbia", in line 6, insert a colon and the following proviso: "Provided, That in the discretion of the Secretary of the Interior, not to exceed \$3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move to recede and concur in the Senate amendment, and yield 5 minutes to the gentleman from Missouri [Mr. BELL].

Mr. BELL. Mr. Speaker, I desire to address my remarks not to any particular amendment, but to all of the amendments to the original bill.

I was for the bill as it was first reported to the House by the committee and I think we have a committee of great men. I have every confidence in the committee. They studied these items carefully, considered them, and brought to this House the result of their deliberate judgment. This House acted upon their judgment, adding a little bit to the amounts reported. Then the bill went to the body at the other end of the Capitol, and it comes back to us, as bills have time and again, with millions of dollars added to it, and this House has had no opportunity to study these items, our committee has had no opportunity to study them, but we are asked to pass in the twinkling of an eye \$10,000,000 of the money of the people of the United States.

A century and a half ago, when our forefathers set up this great Government and formulated our Constitution, in their wisdom they placed the appropriating power or the power to initiate appropriations or the power to control the purse strings of this great Nation here where it belongs, with the direct representatives of the people, who are sent here for 2 years at a time in order that the pulse of the people may be readily felt by this body.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BELL. I beg the gentleman's pardon, but I cannot yield now.

It seems to me that the remarks of a certain old circuit judge whom I knew so well down in Missouri might be apropos. He was discussing the course of business through our trial court there and said:

You know, I am becoming disgusted with the condition of things; the trial court is just a sort of whistling post that a case passes through on its way to the court of appeals.

Now, this is the situation, with all due respect to both Houses of this great Congress, we have got into here. Bills go through this House, having received our deliberate judgment and the judgment of the splendid men upon these committees, who have studied them time after time, day and night. Certain departments deliberately wait until after the bill has left the House and then whisper in the

ear of someone at the other end of the Capitol, and \$10,000,000 is added without the House knowing anything about it.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield for just one question?

Mr. BELL. I will yield in just a moment.

It is for these reasons, not that I have any particular objection to any of these items, because, like the rest of you, I do not know anything about them, that I am opposing this procedure. These items have been added without giving us any opportunity to know about them, and therefore I am pleading with you to uphold the dignity of this House as the representatives of the people of this country. The President of the United States has plead with us to help balance the Budget, to quit spending money without knowing what we are spending, and with this thought in view I plead with you to vote against the adoption of the report and to vote against all of these amendments.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield.

Mr. FITZPATRICK. The gentleman spoke about the great work done by the subcommittee. In this House they increased the Budget recommendation in less than 2 hours by \$11,000,000. They increased it at the other end of the Capitol by \$10,000,000 or \$11,000,000, but \$3,900,000 of that amount was authorized by the Congress, and no doubt the gentleman voted for it. Therefore the increase which was made over there was only \$6,000,000 or \$7,000,000 over the recommendation of the committee, while the increases made in the House were over \$11,000,000, and the increases made over there were on the recommendation of duly elected Members of the Senate and not by lobbyists seeking to control the House the day they were in session on the bill. [Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield.

Mr. RICH. I would like to call the attention of the gentleman from Missouri to amendment no. 90, the Colorado-Big Thompson project, where they are asking us to appropriate \$900,000. This was never considered by the House, was never voted on, and if you appropriate this \$900,000 then it will mean that the camel is getting its nose under the tent, and you will have to appropriate \$44,000,000 to complete the project. Remember this when you vote on amendment no. 90.

Mr. BELL. Mr. Speaker, that is just one of the reasons I think we ought to vote down any proposition that spends millions of dollars of the people's money unless we are given an opportunity to know what we are spending. [Applause.]

[Here the gavel fell.]

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman 2 minutes more.

Mr. O'NEAL of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. BELL. Yes.

Mr. O'NEAL of Kentucky. To make the Record correct, because I think the statement made inadvertently by the gentleman from New York [Mr. FITZPATRICK] is not quite correct. The Senate added \$13,050,000.

Mr. FITZPATRICK. But \$3,500,000 was submitted by the Budget.

Mr. BELL. Mr. Speaker, I yield back the remainder of my time.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. BEAM].

Mr. BEAM. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BEAM. Mr. Speaker, and Members of the House. We are today in a state of judicial hysteria. A few days ago I listened with a great deal of interest to the distinguished

and learned gentleman from Texas [Mr. SUMNERS], the chairman of the Judiciary Committee, make a most dramatic plea to save this country from a dictatorship.

Only a few moments ago I again heard those sentiments reechoed by my distinguished colleague from Illinois [Mr. LUCAS], as I listened to him characterize as a selfish gesture the philosophy and intentment of the Court bill, now pending before the Senate of the United States for consideration and determination.

I, for one, cannot stand idly by and permit such statements to go unchallenged. I cannot, in the throes of highly publicized and specialized propaganda, desert a gallant leader, who is waging a fight for the great masses of our citizens and to preserve and make secure for them the blessings of equal opportunity in our land.

What sinister force, under the cloak of statesmanship is instigating and endeavoring to accomplish this desertion from our party? Is he a friend of the Democratic Party or is he a foe in the guise of a friend? Permit me, my colleagues to suggest caution.

Has the leadership of the President been repudiated by the Democratic Party and the citizens of the United States? Are we going to permit the word "dictator" to become a delusion and a snare by which timid souls become frightened and fanciful fears grip the minds of our countrymen? I trust not. I have enough confidence and faith in the cool and deliberate judgment of our American people.

Let me ask the gentleman from Illinois, "Was it a selfish gesture on the part of a dictator when, in response to a message from the President a few years ago, we passed legislation to feed and clothe the hungry and starving people in our land, and by so doing avoided untold bloodshed, as everybody who was serving in the Congress of the United States knew and realized at the time?" Those were tense days in the life of our Republic.

I ask, "Was it a selfish gesture when, in response to a Presidential message, legislation was enacted by a sympathetic and understanding Congress to preserve the farms and homes of our citizens—to safeguard their bank deposits; to stabilize the banking institutions; to revive industry—and obtain for the laborer and farmer the right to earn a decent living as an American citizen—and, by a series of legislative enactments, too numerous to mention, succeeded in dissipating and destroying those dark clouds of fear, of trepidation, and uncertainty which engulfed our entire citizenship, and by the beneficent results thereby obtained heralded the advent of a new and brighter day for our people on this broad horizon we call America?"

Mr. Speaker, the people of the United States, and particularly the people of the great State of Illinois, are still behind Franklin D. Roosevelt. [Applause.]

The great masses of our citizens have faith in the integrity and sincerity of the President of the United States. They will not retreat nor will they desert in this hour a leader whose hopes, ambitions, and aspirations are for the betterment, welfare, happiness, and prosperity of all our people. [Applause.]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. RICH. Does the gentleman realize that the American Indian Federation of America is opposed to amendment numbered 24?

Mr. JOHNSON of Oklahoma. I understand that the American Indian Federation is opposed to it, as well as practically everything else that the Indian Office favors. Frankly I have never been able to find but two Indians who are members of that so-called American Indian Federation. I know of only one Indian in Oklahoma who is connected with the organization. The committee also heard a charming enthusiastic lady who is connected with that organization. Possibly there are other Indians, however, in the United States connected with or interested in the Indian organization to which the gentleman refers, but they did not appear before our committee.

The amendment in question fixes the per diem of \$3 a day, and I assume there is really no objection to it.

Mr. FITZPATRICK. Is it not a fact that that was knocked out in the House on a point of order?

Mr. RICH. I am calling the chairman's attention to the fact that the American Indian Federation, of 116 C Street NE., objects to the amendment.

Mr. FITZPATRICK. In our hearings I think it was brought out there were only about 3,500 members of that organization throughout the whole country.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 28: Page 24, at the end of line 15, insert a colon and the following proviso: "Provided further, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of \$500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from New York.

Mr. TABER. Mr. Speaker, this amendment permits the Chief of the Bureau of Indian Affairs to go out and contract for land up to about \$500,000. He is going out into the country and buying desert land at \$2 an acre, wasting a great lot of money that can do absolutely no good to the Indian, doing something that tends to a community pool of land.

This practice has been demonstrated to be bad. I hope the House will not vote for this item.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 30: Page 26, beginning in line 11, insert: "The unexpended balance of \$5,004.25 of the appropriation 'Purchase of land for landless Indians in California, act of March 3, 1925, special fund', which appropriation was repealed by section 4 (b 24) of the Permanent Appropriation Repeal Act, 1934 (48 Stat. 1227), is hereby reappropriated and made available until expended for payment of obligations heretofore incurred or to be incurred hereafter in the acquisition of land in California, with such improvements as may be appurtenant thereto, for the relief of homeless Indians of that State."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move to recede and concur in the Senate amendment.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. Mr. Speaker, this amendment reappropriates a little over \$5,000 for the purchase of land for landless Indians in California. This sum was obtained by a sale to the city of Los Angeles of land originally purchased by the Government for landless Indians in California. The permanent repeal act of 1934 had the effect of repealing the unexpended balance referred to. We think the Indians are entitled to this sum and recommend that this item be included in the bill.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma.

The motion was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments nos. 35 and 37 be considered together, as they relate to the same subject matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. RICH. Mr. Speaker, reserving the right to object, the gentleman intends to offer an amendment to amendment no. 37, does he not?

Mr. JOHNSON of Oklahoma. It is intended to offer an amendment to both amendments.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report amendments nos. 35 and 37.

The Clerk read as follows:

Amendment no. 35: Page 29, line 10, after the word "crops", strike out "\$165,000" and insert in lieu thereof "\$390,000."

Amendment no. 37: Page 30, line 2, after the word "Indians", insert the following: "Provided, further, That the Secretary of the Interior is hereby authorized, in his discretion and under such rules and regulations as he may prescribe, to make advances from this appropriation to old, disabled, or indigent Indian allottees, for their support, to remain a charge and lien against their land until paid: *Provided further*, That not to exceed \$15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed 8 years, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That not to exceed \$275,000 may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, slaughter, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians, including the erection of necessary structures, the purchase of machinery and equipment, materials and supplies, the purchase or lease of land or buildings, salaries of employees, traveling expenses, advertising, and all other necessary expenses."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendments, with amendments in each instance.

The SPEAKER pro tempore. The Clerk will report the motions of the gentleman from Oklahoma.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate no. 35 and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "\$215,000."

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate no. 37 and agree to the same with an amendment as follows: Strike out the proviso, beginning in line 14 of said amendment, down to and including the word "expenses" in line 21, and insert in lieu thereof the following: "Provided further, That not to exceed \$50,000 may be advanced to the Navajo Tribe of Indians for the purchase, feeding, sale, or other disposition of sheep, goats, and other livestock belonging to the Navajo Indians."

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. RICH. I want to say to the Members of the House that the committee decided to cut out \$225,000 for a slaughterhouse on this Indian reservation.

Mr. JOHNSON of Oklahoma. That is correct.

Mr. RICH. I congratulate the committee in going along with us at least that far in trying to save that amount of money and keeping the Government from going into the slaughterhouse business on an Indian reservation.

Mr. JOHNSON of Oklahoma. And I congratulate the gentleman from Pennsylvania in going along with the committee as nicely as he has.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. LANHAM. I notice there is a provision for loans to Indian youths for educational purposes. Do those Indian youths enjoy the benefits to be derived under the National Youth Administration?

Mr. JOHNSON of Oklahoma. No; they do not. This is an item that has been in the bill in the past, which assists strictly Indian children.

Mr. LANHAM. Why do they not enjoy the benefits of the National Youth Administration, and does this legislation give them any additional advantages over other youths of America?

Mr. JOHNSON of Oklahoma. No. I should say it does not give them any additional advantages over other youths of America. The Indians were eliminated from the National Youth Administration for the reason, I assume, that there was an item in last year's bill for Indian education, and should this House eliminate this from this bill, then

the Indian children would be discriminated against and would not have the benefit of any assistance whatever.

Mr. LANHAM. But this gives them no preference over the youths who are enjoying benefits under the National Youth Administration?

Mr. JOHNSON of Oklahoma. That is correct.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. HOBBS. I rise to inquire merely what relationship this appropriation bears to that made to the National Youth Administration for American citizens other than Indians?

Mr. JOHNSON of Oklahoma. It has no relationship whatever to that.

Mr. HOBBS. I mean in amount.

Mr. JOHNSON of Oklahoma. It is undoubtedly smaller in amount than the amount to other American youth.

Mr. HOBBS. The gentleman is mistaken, if my memory is correct.

Mr. JOHNSON of Oklahoma. It is only \$15,000 for the entire United States.

Mr. HOBBS. I understand, but the maximum to other American citizens is infinitesimally small in comparison to this.

Mr. JOHNSON of Oklahoma. I am quite certain that the gentleman is mistaken. As I have just stated, the amount is only \$15,000 for the Indian youth of the entire United States.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Is this \$50,000 which it is proposed be advanced to the Indians reimbursable?

Mr. JOHNSON of Oklahoma. Yes; it is reimbursable, but the item is not \$50,000, but is only \$15,000 for the entire United States. I think it ought to be a larger sum.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma that the House recede from its disagreement to the amendments of the Senate nos. 35 and 37 and concur therein with amendments.

The motions were agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment 46: Page 43, line 16, strike out "\$700,000, reimbursable" and insert the following: "\$500,000, reimbursable, and in addition thereto the Secretary of the Interior may also incur obligations and enter into a contract or contracts not exceeding the total amount of \$750,000 and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of this project shall be available for the purpose of discharging the obligation or obligations so created."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate no. 46 and concur in the same.

Mr. RICH. Mr. Speaker, will the gentleman explain this change to the House?

Mr. JOHNSON of Oklahoma. I should be pleased to. This amendment provides an appropriation of \$500,000 together with a contract authorization of \$750,000 for beginning construction of the Colorado River Indian irrigation system, making a total of \$1,250,000 available for contract. This is the estimated cost of the dam and the headworks, and testimony given before the Senate committee by the Director of Indian Irrigation was to the effect that if this money and authorization were granted it would enable the work to be done by the same contractor at a great saving of Federal funds to the Government of the United States. I am sure that the gentleman from Pennsylvania wants to save a little money.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma that the House recede from its disagreement to the amendment of the Senate no. 46 and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 53: Page 45, in line 1, strike out "\$2,288,000" and insert in lieu thereof "\$2,219,275."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate no. 53 and concur in the same with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate no. 53 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$2,169,275."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 54: Page 49, after line 5, insert the following: "The appropriation of \$100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1935, for cooperating with public-school districts in Glacier County, Mont., in the improvement and extension of school buildings to be available to both Indian and white children, as authorized by the act of June 7, 1935 (49 Stat. L. 327), is hereby made available under the same conditions as specified in the said Second Deficiency Appropriation Act until June 30, 1938, for improvement and extension of school buildings in rural communities in district no. 9, Glacier County, as well as other public-school districts within said county."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate no. 54 and concur in the same.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR of Montana. Mr. Speaker, as I understand, there was appropriated \$100,000 in the year 1935 for cooperating with public-school districts in Glacier County, Mont. This was for the purpose of meeting the expense of educating Indian children. This is an amendment which was proposed by Senator WHEELER, and I want to quote his words in explanation of its purpose. It does not carry any new appropriation of money. It simply is desired to make the existing legislation permit the use of the item of \$40,000 in any rural community in Glacier County where they have any considerable number of Indian children; in other words, to make available money heretofore appropriated by this Congress for the purpose of enabling school districts to meet the expense of educating Indian children in the various school districts of Glacier County.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR of Montana. I yield gladly to the distinguished gentleman from Pennsylvania.

Mr. RICH. Why was not this money used in 1935?

Mr. O'CONNOR of Montana. Because, as I understand, the Comptroller General ruled that there was some defect in the legislation prohibiting the use generally in school districts in the county. The purpose of this amendment is to cure that defect and permit this money to be used in any school district in that county where there are a considerable number of Indian children.

Mr. RICH. Was that the intent and purpose of the item originally passed in 1935?

Mr. O'CONNOR of Montana. That was the intent and purpose of the law as originally passed. This amendment carries no additional appropriation.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next Senate amendment in disagreement.

The Clerk read as follows:

Amendment no. 73: Page 65, after line 13, insert: "There is hereby authorized to be expended out of the fund 'Interest on judgment, Court of Claims, Creek Indian Nation', now standing on

the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding \$2,000 to be paid, in the discretion of the Secretary of the Interior, to attorneys for said Creek Nation of Indians employed under the authority of the act of Congress approved May 24, 1924 (43 Stat. 139), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned act of May 24, 1924: *Provided further*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

I may say for the benefit of the Members that this paragraph is similar to one carried in the bill in 1932 which authorized tribal funds, not Federal funds, mind you, but funds of the Creek Nation, to be used for expenses incurred by attorneys in the prosecution of suits filed by the Creek Nation against the United States in the Court of Claims pursuant to the Jurisdiction Act of May 24, 1924. Some cases are active at the present time and the attorneys employed on behalf of the tribe estimate that the \$2,000 provided in this paragraph will be sufficient to meet all expenses prior to the settlement of the suit. I assume, therefore, that there will be no objection to this item.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next Senate amendment in disagreement.

The Clerk read as follows:

Amendment no. 74: Page 67, line 1, after the word "each", insert the following: "*Provided further*, That section 2 of the act of Congress approved August 12, 1935 (49 Stat., 571), shall not apply to the Five Civilized Tribes."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment. I desire to make a brief statement and will yield some time before a final vote is taken.

This amendment is what is known as the Thomas amendment, which was placed in the bill by the senior Senator from Oklahoma. It does not affect the Indians of western Oklahoma that I have the honor to represent in part, nor Indians in any other section of Oklahoma, except the Five Civilized Tribes.

It may be recalled that in 1924 the Jurisdictional Act for the Five Civilized Tribes was passed by the Congress. Many of you who were here at that time served with the Hon. W. W. Hastings who was the author of that jurisdictional bill.

These jurisdictional acts were so drawn as to give effect to the treaty provision which provided in substance that no charges or claims shall ever be made by the United States for the division of their estates and tribal property among the members of these particular Five Civilized Tribes. Suits were filed under this act, and after 11 years of proceedings the act of August 12, 1935, was passed out of a clear sky, which provided in substance that every expense of administration the Government promised never to set up against these tribes should now be set up against them in violation of the treaty guaranty that the Government made with the Five Civilized Tribes.

The Indians did not have an opportunity to be heard in reference to this matter. It was inserted in the middle of a large second deficiency bill, which was passed under a gag rule; and, as I remember, no points of order could be raised. The proposed Senate amendment no. 74 in this Interior Department appropriation bill seeks merely to correct the wrong done the Five Civilized Tribes by the act of 1935 and turns them back to the original Jurisdictional Act, which gives effect to the provisions of the treaty that no charges or claims shall ever be made against them for administration expenses. That was a solemn agreement made

by the Government of the United States by and with these particular tribes of Indians.

Mr. CARTWRIGHT. They did not have a chance to say a word?

Mr. JOHNSON of Oklahoma. As the gentleman from Oklahoma has suggested, the Indians were not given the courtesy of a hearing. They had no opportunity to appear before any committee and present their side of the case.

Mr. Speaker, inasmuch as this amendment does not affect the Indians in the district represented by me in Congress, and not being personally familiar with issues involved, I took the liberty of taking the matter up with the Interior Department, having addressed a letter to the Commissioner of Indian Affairs asking him what the attitude of the Commissioner would be with reference to this amendment. I also asked him to give me any information he cared to for the benefit of the Members of the House. With your permission, I desire to read into the RECORD at this time the letter I have just received from the Acting Secretary of the Interior in answer to my letter of inquiry.

Mr. Speaker, I ask unanimous consent that the Clerk may read the letter which I send to the desk.

The SPEAKER pro tempore. Without objection, the Clerk will read the letter.

There was no objection.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, July 15, 1937.

HON. JED JOHNSON,
House of Representatives.

MY DEAR MR. JOHNSON: Reference is made to your letter of July 13 to the Commissioner of Indian Affairs concerning Senate amendment no. 74 of the Interior Department appropriation bill for the fiscal year 1938.

The purpose of this amendment is to exclude suits filed in the Court of Claims by the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Nations, under authorization contained in specific jurisdictional acts, from the operation of section 2 of the Deficiency Appropriation Act approved August 12, 1935 (49 Stat. 596). A number of suits have been filed pursuant to the jurisdictional acts. Some of these suits have been disposed of but others still are pending.

I call to your attention the circumstances leading to the enactment of section 2 of this act of August 12, 1935. Following hearings conducted by the House Committee on Expenditures in the Executive Departments, to which hearings representatives of this Department were not invited and of which we knew nothing, section 2 was inserted in the deficiency act. Representatives of this Department were not heard in connection with the section, although representatives of the Attorney General were called and did testify before the Appropriation Subcommittee. The first we knew of the situation was when the appropriation bill was reported to the House. This legislation on an appropriation bill was protected by a special rule.

The section in brief provides that in all suits by an Indian tribe or band then pending in the Court of Claims which had not been tried or submitted, or in any suit thereafter filed by any tribe or band of Indians, the court shall consider as an offset against any amount found to be due such tribe or band all sums expended gratuitously by the United States for the benefit of any such tribe or band of Indians. Amendment no. 74 will prevent the United States from offsetting against any claim or judgment in favor of any of the Five Civilized Tribes any sum or sums expended in behalf of the members of these tribes by the United States out of gratuity appropriations made by Congress for the benefit of Indians.

It is the view of this Department that the act of August 12, 1935, should not have been made retroactive, and should not now be applied to suits filed under previously enacted jurisdictional acts containing no provision for the offset of gratuities. Gratuity expenditures for the benefit of individual members of a tribe should not in equity and in good conscience be charged against the tribe or band itself in any legitimate claim that the latter may have against the United States. The substantial sums appropriated by Congress for the education and civilization of the Indian wards of the Nation are spent largely for the pay of employees and the discharge of the duties owing by the United States to its Indian wards. Gratuity appropriations so made and spent should not be charged as an offset against any legitimate claims which the tribes may have against the United States.

The Indians affected by the numerous jurisdictional acts relating to the Five Civilized Tribes are much disturbed by the effect section 2 of the deficiency act may have on their claims and consider that section as another act of bad faith on the part of the United States in administering their affairs.

This Department did not sponsor the amendment but we have no objection thereto. The adoption of the amendment will afford relief to a few tribes. It is evident, however, that other tribes are greatly disturbed and that eventually section 2 of the deficiency act will have to be reconsidered by the Congress. It is

hoped when that time comes representatives of this Department will have an opportunity to be heard.

Sincerely yours,

CHARLES WEST,
Acting Secretary of the Interior.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, in all my experience in Congress, I have never seen, heard, or read such a remarkable letter as the one that has just been submitted by the gentleman from Oklahoma, signed by the Acting Secretary of the Interior, Mr. West. In the first place, what has Mr. West or any other official in that Department to do now with the cases which are pending against the United States Government in the Court of Claims. It is not the duty, as I see it, for the Department of the Interior or any officer in that Department to defend suits filed by Indian tribes. That duty rests with others and for Mr. West to attempt to express an opinion on a matter of this kind is something out of the ordinary. Certainly the gentleman from Oklahoma was entitled to an answer to his inquiry but a proper answer would have been a suggestion that he ask the Department of Justice which is charged with the responsibility of defending these Treasury raids.

Mr. JOHNSON of Oklahoma. Will the gentleman yield so that I may answer the question?

Mr. COCHRAN. I will yield in a second. I desire to go ahead with my statement now. I hope to have time left to yield to the gentleman but if I do not he is in control of the time and will have an opportunity to answer.

Many cases were filed under the Jurisdictional Act to which the gentleman refers. I was here when the jurisdictional acts were passed and I well remember the chairman of the Indian Affairs Committee at the time. Subsequent developments show that Congress gave little attention to the wording of the acts. We threw the doors wide open and put the Government in a terrible hole. I will show the House just what happened.

Growing out of those acts the Five Civilized Tribes filed suits against the United States in the Court of Claims for how much? I am not going to ask you to take my word for it. Here are the official figures—\$850,000,000. Read the hearings before the Appropriations Committee and the letter from the General Accounting Office. Some of the cases have been disposed of, but many of them are pending.

The Government won practically all of the cases because the Department of Justice was permitted to offset the Indians' claims, and what you are asked to do now is to repeal the section that permitted the Government to secure a favorable decision.

I was responsible for the amendment in the deficiency act which this proviso seeks to set aside. It is true we did not call before us the Secretary of the Interior or the Commissioner of Indian Affairs, because it was a legal matter which they had absolutely nothing to do with. It is their duty to administer the laws Congress passes, not to try cases in the Court of Claims. However, we did call the recognized agents of the Government who were trying to protect the Treasury of the United States in these suits. Under our Constitution it is the duty of the Attorney General, and not the Commissioner of Indian Affairs, to defend such causes instituted against our Government. That is why we did not call them. At the expiration of those hearings by direction of the committee, of which I am chairman, I turned the matter over to the former chairman of the Committee on Appropriations, the late Mr. Buchanan. It so happens I was sick in the hospital at the time the Appropriations Committee held its hearing and also at the time the section was considered and passed.

Efforts have been made to set that section aside time and time again. Bills have been reported by the Indian Affairs Committee, but, with others, I have succeeded in defeating every one with one exception. That was in the Klamath case, and the bill passed when I was again confined to my bed. That was a year ago, and it cost the taxpayers just nearly \$5,000,000, because only last month the court decided

that case and denied the right to offset the Indians' claims, the Government lost.

I do not ask you to accept my word about this matter. If you will refer to my remarks on pages 1768 to 1771 in the Appendix of the Record, you will find a letter from the Attorney General of the United States, also a letter from the Comptroller General of the United States, in which they state that if these two lines remain in the bill it will eventually cost the taxpayers of this country approximately \$20,000,000. The Government of the United States has expended in gratuities to the Five Civilized Tribes over \$19,000,000. All the Government of the United States asks is to be allowed to offset that amount in the cases pending before the Court of Claims.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield for a question?

Mr. COCHRAN. I will yield to the gentleman in just a moment.

That is all the Government wants to do. You will find in my remarks a list of other jurisdictional acts concerning claims which are subject to offsets.

If you concur in this amendment, you will be justified in repealing entirely the amendment in the deficiency act. Why treat the Five Civilized Tribes differently from all the other Indian tribes? Let us be fair. When I offered my amendment to section 213 of the Economy Act the other day I knew what I was doing. I said, "If we are going to make this apply to the employees in the regular establishments, then it should also apply to everybody working for the Government." The same applies here. If you want to be honest with all the Indians, do not ask the House to concur in this amendment, but ask the House to repeal the section. That is what you should do. Do not pick out the Five Civilized Tribes and say, "We will give you \$20,000,000", and tell all the other Indian tribes, "You do not get anything." Those of you who represent the other Indian tribes, remember that your Indians will be calling on you to do the same for them that would be done for the Five Civilized Tribes by this amendment.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I will yield in a moment.

The entire question involved in this amendment is whether or not you want the legal representatives of the United States in their fight against the tremendous claims filed by the attorneys for the Indians to charge off the gratuities, the money, if you please, that the taxpayers of the United States have advanced to these Indians. When you and I are settling a claim and we sit down at a table to find out how we stand, you let me charge off the amounts I have advanced to you, and then say, "Pay me the rest." That is all the Government asks to be allowed to do in these cases.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from New York.

Mr. FITZPATRICK. During the last 3 or 4 years the Government has spent several billion dollars on relief of the unemployed in this country. Assuming some of the people who are receiving relief should in the future have a claim against the Government by reason of either accident or property being taken, would the gentleman have the Government say to these citizens, "We are going to charge against you the money which was given to you while you were unemployed, as we are doing to the Indians"? Answer the question "yes" or "no." Would the gentleman charge that amount up to them?

Mr. COCHRAN. I will answer the gentleman and tell him what I would do. If at any time during the period of my service in the House a claim bill ever comes in here to reimburse a State for a claim against the United States Government, I will oppose that bill, because we have advanced each State millions and millions since the depression.

Mr. FITZPATRICK. I did not ask the gentleman that question. I asked the gentleman if an individual now receiving relief from the United States Government should

have a claim, would the gentleman have the amount given as relief charged up against that person?

Mr. COCHRAN. No. We are dealing now not with individual Indians but with the tribes.

Mr. FITZPATRICK. Why? Because the white man is organized throughout the country and has something to say, whereas the Indian is unorganized. We can readily see where we can be very independent with the poor, unfortunate Indian, but the white man is organized.

Mr. COCHRAN. That is not the question here. Mr. Speaker, a bill has passed the Senate which provides that the section in the deficiency act referred to shall not apply to all Indian tribes. A similar bill has been reported to the House by the Committee on Indian Affairs. If it is proper to do this for the Five Civilized Tribes, it is proper to do it for all the tribes.

Mr. O'CONNOR of Montana. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Not just now. Why not wait and let us take the legislation which has come from our legislative committee, bring it on the floor under the regular rules of the House, and let the House vote on it?

Mr. FITZPATRICK. Why did the gentleman not do that with the section he added to the deficiency act?

Mr. COCHRAN. Because an emergency existed. Let the House vote on it. The Indian Affairs Committee could have called that bill up on Calendar Wednesday, the other day when it had the call, but did not call it up.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman.

Mr. LEAVY. Does not the gentleman grant that in this particular case the situation is quite different from the situation with respect to the other Indian tribes throughout the country, in that this involves a treaty the Government made with the Indians in 1898, and it is now a question either of living up to the treaty obligation or repudiating it?

[Here the gavel fell.]

Mr. SCRUGHAM. Mr. Speaker, I yield 3 additional minutes to the gentleman from Missouri.

Mr. COCHRAN. The same claim that we have violated our treaties is made by every Indian tribe. Some of the treaties on which these suits are based date back to 1790. The total amount involved is over \$3,000,000,000. We are talking about money now. When you are talking about millions you are not talking about real money these days, but here we are talking about billions. Now you are going to hear some of the gentlemen from Oklahoma get up in a few minutes and tell you this is not a fact. Just read the hearings before the Appropriations Committee and before the Committee on Expenditures in the Executive Departments and you will find out the Department of Justice is responsible for the statement as to the amount. Those officials should know, as they are charged with defending the suits.

You are also going to hear the Five Civilized Tribes, according to these same gentlemen, are suing for a small amount, but just read the hearings I refer to and you will see the amount is over \$300,000,000. Remember, this is the Five Civilized Tribes alone.

The attorneys representing the Indians are responsible for this amendment. They are the ones who are bearing down on the Members of the Congress. It is my view, Mr. Speaker, we should not permit this amendment to pass. It has absolutely no place in this bill. It would have been subject to a point of order had it been offered from the floor of the House. The bill goes over to the Senate where the Senator from Oklahoma places it in the measure, where under their rules they seem to be able to do as they please; it is not debated but agreed to, and it comes back here with the majority of the House conferees in agreement and the chairman of the conference committee asking the House to recede and concur. Recede and concur in doing what? In giving away nearly \$20,000,000 of the taxpayers' money, the money of your constituents and my constituents.

The Indians of this country are being well taken care of by the Government of the United States. They are being

just as well taken care of, and in many instances better, than your constituents or my constituents. What are we doing for them in this bill? For every Indian in this country you appropriate \$1,000.

In conclusion, I may say I have been making this fight for years. I am going to continue to make it as long as I am able, because I know I am right. I am supported by the Attorney General of the United States, I am supported by the Comptroller General of the United States, and I repeat that if you will read my remarks in the Appendix of the RECORD, page 1768, you will find that those officials say this amendment will cost nearly \$20,000,000, and further, if the Congress should pass this amendment that the chairman has asked us to agree to, then every other tribe will be justified in coming to the Congress and asking us to do the same thing for them. If that should be done, it would cost hundreds of millions of dollars. There is but one thing to do and that is to vote down the motion of the gentleman from Oklahoma [Mr. JOHNSON].

Mr. SCRUGHAM. Mr. Speaker, I yield 15 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Speaker, I suspect this is the most misunderstood proposition that has been before the House within the knowledge of those who are Members of the House at this time. I want to answer one or two statements made by my colleague from Missouri and I shall answer every one of them from the record of hearings held on this subject before committees of the House.

In the first place, the provision to which this Senate amendment is directed is the rider which was placed on the second deficiency appropriation bill, being the act of August 12, 1935. This rider went on there, as has been pointed out, without hearing either in the Senate or in the House and without the knowledge of either body, and was a rider on an appropriation bill. I have said heretofore that had the House known about it the House could have interposed a point of order against the rider, but I have discovered since that time that that was not even the case. It was brought to the floor of the House under a rule given by the Rules Committee which made it impossible for even a point of order to lie against it. I did not know such a rule was possible, but I am told that is what happened.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Gladly.

Mr. TABER. I think everyone in the House knew what was going on. The Attorney General's office was called before the Appropriations Committee and hearings were held on this particular matter.

Mr. NICHOLS. No; the Attorney General's office was called before a subcommittee of the Appropriations Committee.

Mr. TABER. Certainly.

Mr. NICHOLS. And I will leave it to the knowledge of the House and to their judgment whether they knew such a rider was on the appropriation bill, but be that as it may, had it not been for the fact that this rider was attached to this bill, without the knowledge of the House, or with the knowledge of the House, those who were interested in the matter and knew the facts would, of course, have raised a point of order had that been possible.

At the time the second deficiency bill was up for consideration Mr. Harry Blair, Assistant Attorney General, and George B. Stormount were called before the committee, or were permitted to come before the committee at their own request, and it was upon statements made by them that the rider was prepared. This was done without the knowledge of any of us folks who were interested in this matter. I certainly know that I knew nothing about it. If you will follow me, I will try to straighten this whole situation out to you, and do it briefly.

The rider provided that the Government on suits which were pending or were to be heard before the Court of Claims would charge against any judgment obtained by any tribe or band as offsets any moneys expended gratuitously on or for that tribe or band of Indians, but there was a provision placed in the rider as follows, and I quote from the rider itself:

And said section shall not be deemed to amend or affect the various acts granting jurisdiction to the Court of Claims to hear and

determine the claims listed on page 678 of the hearings before the subcommittee of the House Committee on Appropriations on the second deficiency appropriation bill for the fiscal year 1935.

This excepted every tribe of Indians in the United States with the exception of the Five Civilized Tribes of Oklahoma. Why? Because those tribes of Indians, when they had filed their jurisdictional claims, had said in them—and I want to be fair about this:

The Government shall charge off against us moneys gratuitously expended on our Indians.

Now, why did not the jurisdictional bill for the Five Civilized Tribes say that? Because in the treaties entered into, not in 1700, but in 1896, treaties entered into by and between the Five Civilized Tribes and the Government of the United States, the Government said to those Indians, "We want to bring Oklahoma into this Union of States; we want this great Indian Territory to become one of the States of the Union."

They said, "We cannot do it unless you let us take the lands which the Government has given you, and let us survey them, let us break them down into town lots, let us break them down into individual allotments", and the Indians said no, "We don't want to do that way. When you brought us out of Florida and the States in the South you told us we could have this land forever for our own to do with as we would", and they said that they were satisfied and that they would stay right where they are; but the Great White Father from 1893 until 1898 importuned those Indians day after day, week after week, month after month, and finally, as an inducement to those five tribes to permit the Government to allot their lands individually and to survey their lands, said, "If you will let us do this, we will agree with you in solemn treaty that the money that is expended to do it will never be charged against you. We want this as a State, and, Mr. Indian, if you will let us use it for that purpose we will not ever charge you anything for the work and the expenditure of money that the Government expends in order to get it."

Mr. DISNEY. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. Yes.

Mr. DISNEY. The object in doing this thing was to allot the lands so that the white folks could buy them.

Mr. NICHOLS. Partially. Mr. Speaker, I now quote from the Choctaw-Chickasaw treaty of June 28, 1898:

That no charge or claim shall be made against the Choctaw or Chickasaw Tribes by the United States for expense of surveying and platting the lands as town sites or for grading or for appraising and allotting the lands or for appraising and disposing of the town lots herein provided.

I quote further treaty entered into with the Creek Tribe of Indians on March 1, 1901:

The United States shall pay all expenses incident to the surveying, platting, and disposition of town lots and the allotments of lands made under the provisions of this agreement.

Let us see what are set up as gratuities, claims, and charges against these Indians. I hold in my hand in the case of the Choctaw and Chickasaw Nations against the United States, the defendant's statement. This is the statement of the United States, setting forth gratuities. Let us see what it is that the United States wants to charge against these Indian tribes as gratuities, and I read from their own pleadings:

Agency building repairs, allotting, appraising, appraising and selling lands, appraisal and sale of restricted lands, keeping allotment records; equalization of allotments, examining records in disputed citizenship cases, investigating leases, leasing of minerals and other lands, probate expenses, protecting property interests, removal of intruders, sale of allotted lands, sale of town lots, sale of town sites, sale of unallotted lands, surveying, surveying and allotting of lands, surveying, platting, and appraising town sites, surveying selected coal and timber lands, timber estimating.

All to the total sum of \$12,267,989.25. My friends, all that the Five Civilized Tribes want is only that to which they are entitled. My distinguished friend has said that if these suits are permitted to go on it will cost the Government an estimated \$20,000,000. He says also that the Five Civilized Tribes have filed suits against the Government in the sum of \$800,000,000. Let us go to the record and see. I quote from the hearings before the Committee on Indian Affairs

of the United States Senate, and this was in the Seventy-second Congress, and in that hearing on page 13549 there is a table produced there which shows that the total of all claims filed by all Indian tribes in the entire United States, not just five little tribes down in Oklahoma, but the total of every Indian nation in the United States is \$772,117,772.25.

The gentleman must be in error about his statement, and can it cost the Government anything? Let us see about that. The gentleman would have you believe that by the adoption of this amendment it would cost the Government of the United States \$20,000,000. That is not so. What must happen before through the adoption of this amendment it could cost the Government a single nickel? Of course, you all understand this provides for no appropriation. There is no appropriation of money involved here. Here is what would have to happen before it could cost the Government a cent. They must first win their case in the Court of Claims. Then, if they are successful, they must go with the United States on its route of appeal to the circuit court of appeals and the Supreme Court of the United States. If they are successful in those three steps, then they must come back to this Congress. First, probably it would be necessary to pass a bill to authorize the appropriation of funds to pay the judgment obtained in the highest court in the land, and then before they could get the money it would be necessary that you, ladies and gentlemen of this body and the other body at the other end of the Capitol, should, by appropriations through the United States Treasury, appropriate the money to pay the judgment.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. NICHOLS. There has been a great deal said about the tremendous sums of money that these Indians have gained in judgments against the United States. There has been a great deal said about the huge attorneys' fees that have been paid to lawyers in these cases. I ask you again to go with me to the record. The record of the Court of Claims discloses this fact: It shows that 51 cases have been filed for the Five Civilized Tribes; 16 of the 51 have been disposed of; 16 of them have been disposed of; 14 of the cases which have been disposed of were decided in favor of the Government; 14 of the 16 that have been decided were decided in favor of the Government; 2 have been decided in favor of the tribes. How much money do you suppose the tribes got under those two judgments? It would not break the Government. Their long list of attainments totals \$154,605.20, and no more. Let us see if this will break the Government. Thus in 16 suits disposed of the tribes have recovered less than 1 percent of the amount sued for. Do those figures show that the finances of the United States are seriously endangered?

Let us see about the attorneys. In 13 years of work—this is also from the record—in 13 years of trial of cases for the Indians of the Five Civilized Tribes attorneys for those Indians have collected in fees the staggering sum of \$14,000, and I quote from the record, and I challenge anyone to show it is wrong.

These five tribes of Indians are only asking you to put them on the same footing that you have 24 other tribes of Indians. The distinguished gentleman from Missouri said, "Why should you do anything for the Five Tribes that you will not do for the others?" I want to know why you will do something for all the rest of them that you will not do for the Five Tribes?

When this rider was adopted it excluded every other tribe in the United States with the exception of these tribes, and these tribes have a solemn treaty agreement, as late as 1901, with your Government, which treaty was ratified by the other body of this Congress, telling them that in consideration of their turning over their lands in Oklahoma this money never would be charged against them.

I appeal to you only in the spirit of fair play and sportsmanship to forget, if you can, the prejudice that holds in

your breast against these red men of Oklahoma who have been pictured here as despots.

Mr. DUNN. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. DUNN. I want to say that when that appropriation comes up for the poor Indians I am going to vote for it.

Mr. NICHOLS. I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 10 minutes the gentleman from Illinois [Mr. DIRKSEN].

Mr. BEAM. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. BEAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I am not a little amazed at the statements made by the distinguished gentleman from Oklahoma [Mr. NICHOLS], for whom I cherish a very deep and abiding affection, but I am afraid the recent statements made relative to the record will not stand the light of close scrutiny. For instance, when the gentleman says this is discrimination against the Five Civilized Tribes and that in the case of no other tribe are offsets permitted, I would suggest that on page 675 of the hearings on the second deficiency act of 1935 he read the testimony of the Assistant Attorney General of the United States. He very specifically states that in the case filed by the Blackfeet Indians a claim of some \$6,130,000 was offset by gratuities, and so forth, in the sum of \$5,508,000. My information is that all other tribes are in a position where these offsets can be made and that we have been trying to keep the civilized tribes within the purview of these offsets. But here comes an amendment written in by the Senate of the United States that seeks to give these Five Civilized Tribes a preferential status, which is eminently unfair both to the Treasury and to the rest of the Indians of the country.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Not just now.

Mr. NICHOLS. The gentleman made reference to me in a rather disparaging manner.

Mr. DIRKSEN. Oh, no.

Mr. NICHOLS. The gentleman says I did not quote the record.

Mr. DIRKSEN. Mr. Speaker, I cannot yield just now until I finish my statement. Here is the record. The gentleman can read it any time.

We have approximately 330,000 Indians in the country. Twenty thousand of them no longer wear the tribal blanket. They are the unorthodox Indians, who have gone out to become moving-picture actors, baseball players, and medicine men. That leaves three hundred and ten thousand and odd. We appropriate about \$31,000,000 annually for the Indians. They share in all the benefits that are made available to the rest of the people of the country. They share in the benefits of hard roads and all other things.

In addition thereto we have made available by appropriations of Congress \$1,000 per capita approximately as a special benefit for the Indians of the country. It seems to me that we have treated them very decently, if you please. We recognize the fact that the Government of the United States stands to the Indian in the relationship of guardian to ward. Under the treaties that go back to 1790 we have been trying to do our duty by those Indians, and we have done a pretty good job.

They started filing claims against the Federal Government on various grounds and want to take back the value of what they once gave, and that is where we got the felicitous expression "Indian giver." First, you give something and then you take it back. They gave some lands and received in return shelter and assistance from the Government, and now they want to file claims. I read again from the record before the Appropriations Committee in 1935 to show that the Solicitor General said that the claims do not amount to

\$800,000,000, but rather to one billion seven hundred and ninety-seven million dollars and odd.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. NICHOLS. Those were not claims by the Five Civilized Tribes.

Mr. DIRKSEN. Oh, no.

Mr. NICHOLS. That was the total of all Indian claims.

Mr. DIRKSEN. That is right; but I take it if we measure our regard for the Indians, we must refer to what we have done for all of them and not just the Five Civilized Tribes.

Mr. DUNN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I cannot yield.

There is the record as far as all the tribes are concerned. My friend from Oklahoma may be right as to what is involved in connection with the Five Civilized Tribes. We are treating these other Indians in that fashion. When they file claims, we are offsetting the things that the Federal Government has made available in the form of gratuities, advances, and so forth, but now come the Five Civilized Tribes through an amendment, amendment no. 74, written into this bill by the Senate asking for special, preferential treatment. Here are the Cherokees and the Choctaws, here are the Creeks and Chickasaws, and here are the Seminoles, known as the Five Civilized Tribes, asking that no offset be permitted against the claims which they might file. They put themselves in the position of saying they are better than other Indians. Is there any distinction between a Choctaw and a Nez Perce Indian? Is there any distinction between a Chickasaw and a Navajo or an Arapaho? Is there any distinction between a Seminole and a Flandreau Indian?

Mr. THOM. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. THOM. Let me ask the gentleman whether or not it is true that by treaty we said to these particular Indian tribes that we would bear certain expenses.

Mr. DIRKSEN. I think that is probably true.

Mr. THOM. Should we not keep our treaties?

Mr. DISNEY. These things are recited in that treaty.

Mr. DIRKSEN. All these things were not contained in the treaty. For instance, the Blackfeet—

Mr. NICHOLS. I am talking only about the Five Tribes.

Mr. DIRKSEN. I just want to get at the substance of this.

Mr. DISNEY. The gentleman cannot get at the substance of it without the treaty.

Mr. DIRKSEN. There was no treaty provisions, for instance, for hunting grounds. That was thrown out. There was not anything in the treaty with reference to the right to hunt and fish in Glacier National Park. That was thrown out; it was not recognized.

Mr. NICHOLS. Will not the gentleman be fair? That has nothing to do with the bill.

Mr. DIRKSEN. I am quoting exactly from the record.

Mr. NICHOLS. That has nothing to do with the bill, I would remind the gentleman. The Blackfeet Indians are in Idaho and Montana. This amendment applies only to the Five Tribes.

Mr. DIRKSEN. All right; the gentleman from Oklahoma recited the whole list of things for which a claim could not properly be offset against the Indians.

Mr. NICHOLS. By the Five Tribes only.

Mr. DIRKSEN. He did not recite those things that did not come within the treaty and that have not been enumerated there, and those, among other things, constitute the basis for some of the offsets they have been insisting upon under section 2 of the Deficiency Appropriation Act of 1935.

Mr. NICHOLS. I will say to the gentleman that the things I enumerated are the very things that were charged off.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. COCHRAN. On page 678 of the hearings on the second deficiency appropriation bill, under the heading, "Cases in which offset cannot be pleaded", there are 43 cases pending in the Court of Claims, involving approximately \$850,000,000, brought by the Five Civilized Tribes.

Mr. NICHOLS. I make reference to the same hearings. The gentleman referred to an amount of money far exceeding \$1,000,000,000 representing the claims brought by all the Indian tribes in the United States.

In another hearing before the committee they set up the fact that \$772,000,000 involved all of the claims filed by all tribes in the United States. I hand the gentleman that information.

Mr. DIRKSEN. Except those that were not completed by the Comptroller General at the time the statement was made.

Mr. NICHOLS. So far as what the gentleman is referring to is concerned, this was not made to apply to 24 of the western tribes of the United States, although it was left to apply to the Five Tribes.

Mr. COCHRAN. On page 677 of the hearings, Mr. Blair, Assistant Attorney General, was asked by Mr. Buchanan what the total was they were suing for in these 98 cases—meaning all the Indians—and Mr. Blair replied:

A little over \$3,000,000,000.

That is right there in the hearings.

Mr. NICHOLS. I may say if Mr. Blair made that statement, I think he is in error about the \$3,000,000,000. My check of the figures does not disclose that.

Mr. DIRKSEN. Mr. Speaker, I want to finish my statement by appealing to the common sense of the Members in this matter involving these aboriginal inhabitants who, it is recognized, owned the country before the white man came here. But under various treaties as made with these Indians we made up to them by way of benefits of one kind or another for what we acquired. It is essentially true that the Indian is a shiftless sort of person. He would not have done anything with the country, anyhow. We have tried to be just as good as a guardian can be to a ward all this time. We have proceeded under these various treaties, dating back to 1790. Suddenly some attorney recognizes the legal beauties of a claim that may be preferred against the Federal Government, so they appeal to Congress for the right to present their claims in court. Congress generously afforded that right. In 1935 Congress spoke again by saying that gratuities and advances would be offset against these claims. Now come the Indians and insist that such benefits should not be filed as offsets. If amendment no. 74 is defeated—and I trust it will—it will be the equivalent of the guardian saying to the ward, "If you are going to sue me on claims that may date back to 1790, I am going to exercise my right to offset those claims with the benefits that I have purveyed to you over a period of years."

Is there anything unfair about that?

Mr. Speaker, it is absolutely necessary to defeat amendment 74 and take it out of the bill completely unless we want to open the doors of the Federal Treasury to a lot of Indian lawyers.

If this amendment remains in the bill, this Congress will be beset by every Indian tribe in the country, whether they have a treaty with the Government or not, to make available to them, the same preferences that are contemplated by the pending amendment. This amendment is the little seep that will break the dam and open up easy access to the Federal Treasury. No matter how much may have been obtained by the Indians in previous suits on claims, the fact is that the Federal Treasury is exposed to judgments that might reach into the billions and the time to stop it is now. I sincerely hope the House will do its proper duty today and decisively defeat amendment no. 74.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky [Mr. O'NEAL].

Mr. O'NEAL of Kentucky. Mr. Speaker, what I am about to say has nothing to do with the merits or demerits of this controversy. There was an old magistrate in my district who once said that he liked to hear but one side of a case, because it confused him if he heard both sides.

That is my objection to using an appropriation bill as a vehicle for legislation. No Member of the House could have presented this matter in an appropriation bill without having

it go out on a point of order. I agree it should not have been put into the deficiency bill in the first place.

What happened? We went into conference. The House realizes that it did not have the right to put it in the bill. We knew nothing of it as a House committee until we went into conference; the Senator from Oklahoma had inserted in the bill this amendment. It involves millions of dollars and has to do with equities that could only be determined, if done intelligently, by a study and testimony. He put it in the bill and we are asked in this short time to sit as judge and jury and pass upon the relative merits of each side's contention.

Mr. Speaker, that is not business. It is not good common sense. It certainly is not fair to ask this group to make a decision involving millions of dollars of taxpayers' money simply on what we hear from those gentlemen who stand upon the floor and make a short statement. May I ask each of you, how many of you feel that you know anything about this subject? How many of you feel that you know where the equities are? Who is competent to pass upon this of those who have sat here and heard these arguments? Mr. Speaker, if this were the court of last resort, we might take a chance and decide the matter, but this is not the only remedy.

These gentlemen may come in the first of next year or may present a bill this year and the matter then can be considered on its merits and an intelligent decision arrived at. I do not believe the House feels we are proceeding in an orderly or intelligent way in attempting to pass upon this matter simply because some Senator wants it, or because it has met with the enthusiastic support of gentlemen from that section of the country, who, no doubt, are very much concerned about it.

Mr. COCHRAN. Will the gentleman yield?

Mr. O'NEAL of Kentucky. I yield to the gentleman from Missouri.

Mr. COCHRAN. As a matter of fact, the Senate has already passed a bill of the character the gentleman describes. It is on the Speaker's desk now. The House committee has reported a similar bill, which is on the calendar, and if the House Committee on Indian Affairs had desired to do so a few weeks ago, when it had the call on Calendar Wednesday, it could have called up that bill which had already passed the Senate.

Mr. O'NEAL of Kentucky. Mr. Speaker, I hope the committee will in a businesslike way defeat the motion.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. CARTWRIGHT] such time as he may desire.

Mr. CARTWRIGHT. Mr. Speaker, the distinguished chairman of the subcommittee, Mr. JOHNSON, covered the whole subject in his opening statement so far as this amendment is concerned. The gentleman from Oklahoma [Mr. NICHOLS] also made a fine statement, and, as members of the Supreme Court sometimes do when they do not wish to render a long opinion, I concur in what the gentlemen have had to say. I will, however, very briefly summarize the situation.

In 1924 the jurisdictional acts of the Five Civilized Tribes were passed by Congress. Hon. W. W. Hastings, a Member of Congress, originated the idea of permitting these tribes to sue the Government in order that their affairs might be finally settled. These jurisdictional acts were so drawn as to give effect to their treaty provisions, which provided in substance that no charges or claims shall ever be made by the United States for the division of their estates and other tribal property among the members of these tribes.

Suits were filed under these acts, and, after 11 years of proceedings, the act of August 12, 1935, was passed out of a clear sky. It provided in substance that the very expenses of administration, which the Government had promised never to set up against these tribes, should now be set up against them in violation of their treaty guaranties. The Indians did not have an opportunity to be heard on this matter. It was inserted in the middle of a large second

deficiency bill and was passed under a "gag" rule and no point of order could be made at that time against it.

The proposed Senate amendment no. 74 in this Interior bill seeks merely to correct the wrong done to these Five Civilized Tribes by the act of 1935 and to turn them back to the original jurisdictional acts, and thus give effect to the provisions of their treaties that no charges or claims shall ever be made against them for these administrative expenses.

The best argument for this amendment made this afternoon was made by an opponent, the gentleman from Kentucky [Mr. O'NEAL], when he said the act of 1935 should never have carried the provision authorizing gratuity offsets. That is exactly why we should take it out now by adopting the Thomas amendment.

Let us in good conscience keep faith with the Indians.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 27, noes 70.

Mr. NICHOLS. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and twenty-seven Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 88, nays 242, not voting 101, as follows:

[Roll No. 109]

YEAS—88

Bernard	Evans	Kennedy, Md.	O'Connor, N. Y.
Bigelow	Fitzpatrick	Kennedy, N. Y.	O'Day
Boileau	Ford, Calif.	Kirwan	Patrick
Boland, Pa.	Ford, Miss.	Kvale	Rankin
Boren	Gehrmann	Leavy	Schneider, Wis.
Buckler, Minn.	Gildea	Lemke	Schulte
Burdick	Green	Lesinski	Scrugham
Cartwright	Greever	Lewis, Colo.	Secrest
Case, S. Dak.	Guyer	McFarlane	Shannon
Chandler	Havener	McGehee	Smith, Va.
Clark, Idaho	Hendricks	McGrath	Smith, Wash.
Coffee, Wash.	Hennings	McSweeney	Sparkman
Cox	Hildebrandt	Magnuson	Steagall
Cullen	Hill, Okla.	Martin, Colo.	Stefan
Delaney	Hill, Wash.	Massingale	Sweeney
Dickstein	Honeyman	Maverick	Voorhis
Dingell	Hook	Mead	Wallgren
Disney	Hunter	Merritt	Wearin
Doughton	Izac	Murdock, Utah	Weaver
Doxey	Johnson, Okla.	Nichols	White, Idaho
Dunn	Johnson, W. Va.	O'Connell, Mont.	Wilcox
Eckert	Keller	O'Connor, Mont.	Withrow

NAYS—242

Aleshire	Cole, Md.	Garrett	Kleberg
Allen, La.	Cole, N. Y.	Gearhart	Kniffin
Anderson, Mo.	Colmer	Gifford	Knutson
Andresen, Minn.	Cooper	Gingery	Kocalkowski
Andrews	Costello	Goldsbrough	Kramer
Arends	Cravens	Gray, Ind.	Lambertson
Arnold	Crawford	Gregory	Lamneck
Ashbrook	Creal	Griffith	Lanham
Atkinson	Crowe	Griswold	Lanzetta
Barden	Cummings	Gwynne	Larrabee
Barry	Daly	Haines	Lea
Bates	Deen	Halleck	Lewis, Md.
Beam	DeMuth	Hamilton	Lord
Belter	Dies	Hancock, N. Y.	Lucas
Bell	Dirksen	Harlan	Luce
Biermann	Ditter	Hart	Luckey, Nebr.
Binderup	Dixon	Harter	Ludlow
Bland	Dondero	Higgins	McAndrews
Boehne	Douglas	Hobbs	McClellan
Boyer	Dowell	Hoffman	McCormack
Boykin	Drew, Pa.	Hope	McKeough
Bradley	Driver	Houston	McLaughlin
Brooks	Eberharter	Hull	McReynolds
Brown	Eicher	Imhoff	Maas
Byrne	Elliott	Jarman	Mahon, S. C.
Carlson	Engel	Jarrett	Mahon, Tex.
Carter	Englebright	Jenkins, Ohio	Maloney
Champion	Faddis	Jenks, N. H.	Mansfield
Church	Farley	Johnson, Luther A.	Mapes
Citron	Fish	Johnson, Lyndon	Martin, Mass.
Clark, N. C.	Flannery	Jones	Mason
Clason	Fletcher	Kelly, Ill.	Meeks
Claypool	Forand	Kenney	Michener
Cluett	Frey, Pa.	Keogh	Millard
Cochran	Fries, Ill.	Kerr	Miller
Coffee, Nebr.	Fuller	Kinzer	Mills
Colden	Gambrill	Kitchens	Mitchell, Tenn.

Moser, Pa.	Powers	Shafer, Mich.	Tinkham
Mott	Rabaut	Shanley	Towey
Nelson	Ramsay	Sheppard	Transue
Norton	Ramspeck	Short	Treadway
O'Brien, Ill.	Randolph	Smith, Conn.	Turner
O'Connell, R. I.	Rayburn	Smith, Maine	Umstead
O'Leary	Reece, Tenn.	Snell	Vincent, B. M.
O'Malley	Reed, Ill.	South	Vinson, Fred M.
O'Neal, Ky.	Rees, Kans.	Spence	Walter
O'Neill, N. J.	Reilly	Stack	Warren
O'Toole	Rich	Starnes	Welch
Oliver	Richards	Summers, Tex.	West
Pace	Rigney	Sutphin	Whelchel
Palmisano	Robertson	Swope	Whittington
Parsons	Robinson, Utah	Taber	Williams
Patman	Robison, Ky.	Tarver	Wolcott
Patterson	Rogers, Mass.	Taylor, S. C.	Wolfenden
Pearson	Romjue	Terry	Wolverton
Peterson, Ga.	Rutherford	Thom	Wood
Pettengill	Sabath	Thomas, N. J.	Woodruff
Pfeifer	Sanders	Thomas, Tex.	Woodrum
Pierce	Sauthoff	Thomason, Tex.	Zimmerman
Poage	Schaefer, Ill.	Thompson, Ill.	
Polk	Seger	Thurston	

NOT VOTING—101

Allen, Del.	DeRouen	Jenckes, Ind.	Reed, N. Y.
Allen, Ill.	Dockweller	Johnson, Minn.	Rogers, Okla.
Allen, Pa.	Dorsey	Kee	Ryan
Amlie	Drewry, Va.	Kelly, N. Y.	Sacks
Bacon	Duncan	Kloebe	Sadowski
Bloom	Eaton	Kopplemann	Schuetz
Boylan, N. Y.	Edmiston	Lambeth	Scott
Brewster	Ellenbogen	Long	Simpson
Buck	Ferguson	Luecke, Mich.	Strovich
Buckley, N. Y.	Fernandez	McGranery	Smith, W. Va.
Bulwinkle	Fitzgerald	McGroarty	Snyder, Pa.
Burch	Flanagan	McLean	Somers, N. Y.
Caldwell	Fleger	McMillan	Sullivan
Cannon, Mo.	Fulmer	May	Taylor, Colo.
Cannon, Wis.	Gasque	Mitchell, Ill.	Taylor, Tenn.
Casey, Mass.	Gavagan	Mosier, Ohio	Teigan
Celler	Gilchrist	Mouton	Tobey
Chapman	Gray, Pa.	Murdock, Ariz.	Tolan
Collins	Greenwood	O'Brien, Mich.	Vinson, Ga.
Cooley	Hancock, N. C.	Owen	Wadsworth
Crosby	Harrington	Patton	Wene
Crosser	Hartley	Peterson, Fla.	White, Ohio
Crowther	Healey	Peyser	Wigglesworth
Culkin	Hill, Ala.	Phillips	
Curley	Holmes	Plumley	
Dempsey	Jacobsen	Quinn	

So the motion was rejected.

Mr. LUCAS changed his vote from "yea" to "nay."

The Clerk announced the following pairs:

On the vote:

Mr. Teigan (for) with Mr. Eaton (against).
 Mr. Bloom (for) with Mr. Vinson of Georgia (against).
 Mr. Johnson of Minnesota (for) with Mr. White of Ohio (against).
 Mr. Boylan of New York (for) with Mr. Plumley (against).
 Mr. Tolan (for) with Mr. Bacon (against).
 Mr. Strovich (for) with Mr. Caldwell (against).
 Mr. Gavagan (for) with Mr. Tobey (against).
 Mr. Rogers of Oklahoma (for) with Mr. Wigglesworth (against).
 Mr. Sullivan (for) with Mr. Holmes (against).
 Mr. Kelly of New York (for) with Mr. Reed of New York (against).
 Mr. Buckley of New York (for) with Mr. Crowther (against).
 Mr. Ferguson (for) with Mr. Hartley (against).

General pairs:

Mr. Burch with Mr. Wadsworth.
 Mr. Crosser with Mr. Taylor of Tennessee.
 Mr. Drewry with Mr. Amlie.
 Mr. Patton with Mr. Simpson.
 Mr. Cannon of Missouri with Mr. McLean.
 Mr. Lambeth with Mr. Gilchrist.
 Mr. Greenwood with Mr. Brewster.
 Mr. Cooley with Mr. Culkin.
 Mr. Hill of Alabama with Mr. Allen of Illinois.
 Mr. McMillan with Mr. Chapman.
 Mr. Taylor of Colorado with Mr. Jacobsen.
 Mr. Bulwinkle with Mr. Schultz.
 Mr. Hancock of North Carolina with Mr. Allen of Delaware.
 Mr. Fulmer with Mr. Fleger.
 Mr. Celler with Mr. Scott.
 Mr. Fitzgerald with Mr. Wene.
 Mr. Collins with Mrs. Jenckes of Indiana.
 Mr. Luecke of Michigan with Mr. Kee.
 Mr. Snyder of Pennsylvania with Mr. Mouton.
 Mr. Dempsey with Mr. Phillips.
 Mr. Gasque with Mr. Allen of Pennsylvania.
 Mr. Owen with Mr. Quinn.
 Mr. May with Mr. Ryan.
 Mr. Fernandez with Mr. Edmiston.
 Mr. Peterson of Florida with Mr. Dockweller.
 Mr. Somers of New York with Mr. Buck.
 Mr. Casey of Massachusetts with Mr. DeRouen.
 Mr. Peyser with Mr. Ellenbogen.
 Mr. Dorsey with Mr. McGroarty.
 Mr. Healy with Mr. Gray of Pennsylvania.
 Mr. Curley with Mr. Duncan.
 Mr. Smith of West Virginia with Mr. Harrington.

Mr. McGranery with Mr. Crosby.
 Mr. Mitchell of Illinois with Mr. Kloebe.

The result of the vote was announced as above recorded.

Mr. COCHRAN. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The motion was agreed to.

FUNERAL SERVICES OF THE LATE HONORABLE JOSEPH T. ROBINSON

Mr. RAYBURN. Mr. Speaker, I offer a resolution.

The Clerk read as follows:

House Resolution 279

Resolved, That the House of Representatives accepts the invitation of the Senate to attend the funeral services of the late Honorable JOSEPH T. ROBINSON to be held in the Senate Chamber Friday, July 16, 1937, at 12 o'clock meridian, and that the committee appointed by the Speaker of the House to attend the funeral shall act in conjunction with the committee of the Senate to make the necessary arrangements.

Resolved, That upon the return of the House to its Chamber following the services in the Senate Chamber the Speaker shall, as a further mark of respect to the memory of the deceased Senator, declare the House adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

The resolution was agreed to.

HOUR OF MEETING TOMORROW

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11:40 a. m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1938

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 87: Page 75, after line 14, insert the following: "The Secretary of the Interior is hereby authorized to withdraw from the Treasury of the United States \$105,000 of any funds on deposit to the credit of the Menominee Indians in Wisconsin (except the Menominee log funds), and to expend said sum, or so much thereof as may be necessary, for a per-capita payment of \$50 to each enrolled member of the Menominee Tribe: *Provided*, That such payment shall be in lieu of the payment authorized by the act of June 15, 1934 (48 Stat., p. 964), for the fair market stumpage value of timber cut on the Menominee Reservation during the fiscal year 1937: *Provided further*, That in the discretion of the Secretary of the Interior the payment herein authorized may be made in two installments."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania for a question.

Mr. RICH. Mr. Speaker, sometimes I question the advisability of making a wide distribution of funds to the Indians, even though they be funds of the Indian tribes, for this reason: The Indians, as I now see the situation, are supposed to be wards of the Federal Government, and there are 230,000 of them. We are spending annually an increasing amount for the preservation of the Indians. Many of the tribal funds which I have observed during the handling of this bill in the past year have been depleted. Whenever the tribes deplete their funds they come back to the Federal Government and ask to be given additional grants of money out of the Federal Treasury in order that the Indians may have enough money to support themselves.

It seems to me, if we are trying to put the Indians on a self-supporting basis, the amount of money paid annually out of the Federal Treasury for the Indians should become less and less if we are doing a good job of making them self-supporting. Instead of that, each year it costs the Federal Government more. As long as we are the guardians

of these Indians we should protect their treasuries in respect of the amounts of their own funds we permit the tribes to spend.

Mr. Speaker, I think we ought to consider this amendment very carefully before we allow the distribution of \$50 to each Indian in this tribe. I think someone in the House should give information concerning this amendment to the Members of the House who have not had the opportunity of hearing about these tribes and the amounts of money they have in reserve.

Mr. JOHNSON of Oklahoma. Mr. Speaker, the gentleman has asked rather a long question, if that is all one question. Seriously, however, his statement is to the point, and I agree with the gentleman generally in his observation. I agree, Mr. Speaker, per-capita payments should not be granted if and when there is any possibility of the funds being depleted. However, these Indians are among the richest in the United States. There is only one other tribe in the entire United States which has more money than the Menominee Tribe of Indians. At this time, as I recall, they have approximately \$1,500,000 on hand. This item is similar to the item which is carried in the current law and has been previously carried. The tribal funds of these Indians have not been depleted. The Indians have a substantial income. They requested this per-capita payment, and the committee was unanimous, as I recall, in asking that this be granted.

The gentleman from Wisconsin [Mr. BOILEAU] is more familiar with the affairs of this particular tribe than am I. I now yield 5 minutes to the gentleman from Wisconsin to make any statement he may desire and to answer any questions which any Member may have with reference to this tribe of Indians.

Mr. BOILEAU. Mr. Speaker, may I call the attention of the House to the fact that this is not a payment out of the General Treasury, but is merely a payment of \$105,000 to provide \$50 per capita to the members of the Menominee Tribe of Indians of the State of Wisconsin.

The Menominees, as the distinguished chairman of the subcommittee has stated, have on deposit with the Federal Government approximately \$1,500,000 of their own funds, so this money can be taken out of that fund without seriously depleting it. There is no danger of depleting their funds, as was suggested by the distinguished gentleman from Pennsylvania [Mr. RICH], for the reason that this fund of \$1,500,000 draws interest and each year becomes larger and larger. Furthermore, the Menominee Tribe of Indians have the finest stand of timber in the Central West. They have a sawmill on their reservation. They cut this timber and cut it scientifically. A great deal of credit can be given to the late Senator La Follette for passing in 1908 what is known as the La Follette Act, which provided that the timber on this reservation should be cut selectively. This has been one of the finest experiments in selective cutting of timber in the history of this country.

They do not go into that reservation and cut all the timber that is in sight, as happens in normal or ordinary logging operations, but they are permitted to cut only the mature timber, and the reservation is large enough and they have enough timber so that with their selective cutting they can cut a sufficient amount of timber every year to keep the sawmill going pretty well. There is also a pretty good market for their timber, and I believe the mill is properly managed. I hope that any so-called abuses that may have existed in the past have now been cleared up; and those of us who are interested in the Menominee Reservation believe that the reservation, operating on a business basis and with selective cutting of timber, will have a steady income that will increase each year the amount that is on deposit to their credit in the Federal Treasury.

If they have this money and if it is to do them any good, or if it is to do anyone any good except the particular Indians who have an opportunity to work in the sawmill, there must be these per-capita payments distributed among the members of the tribe on the reservation.

In 1934 I introduced in this body a bill, which was passed and became law, that provided that instead of per-capita payments there should be payments out of the depletion of the timber; in other words, that the fair stumpage value of the timber cut should be set aside to be distributed among the members of the tribe instead of per-capita payments. I do not know why that is not working out the way it should at the present time. I do not know why they come in here today and ask for per-capita payments in lieu of the payments they would receive under the act of 1934; but apparently they feel it is best, for the time being at least, to continue these per-capita payments.

As one who is interested in this tribe, I am hopeful that in the future there will not be any necessity for per-capita payments, but that they will use this fund that accumulates from the cutting of the mature timber. However, I want to assure the House that the members of the Menominee Tribe of Indians are not getting anything under the provisions of this amendment from the Government for nothing. As a matter of fact, our tribe gets very little from the Federal Government. The education of the Menominee Indian children is provided for by the tribal fund. You will recall that a few weeks ago I pointed out that the Menominees are the only ones who are not getting any benefits from the fund that provides for the care of timber on the various reservations, because the Government feels, apparently, that so long as the Menominees have any money of their own they should not benefit from the general provisions of a law for the benefit of Indians generally.

We have not been getting anything from the Federal Government and we believe that these per-capita payments out of their own fund are amply justified.

Mr. HOUSTON. Mr. Speaker, will the gentleman yield?

Mr. BOILEAU. I yield.

Mr. HOUSTON. As I understand, the dividends they now receive from the sale of timber on this reservation go into the fund and the gentleman contends that they should be paid out of that fund instead of receiving per-capita payments.

Mr. BOILEAU. That was the intention of the bill I introduced in 1934, which was passed. However, this bill is in lieu of payments under that act.

Mr. HOUSTON. Is the gentleman in favor of making this payment?

Mr. BOILEAU. I am in favor of this payment now, and I will frankly tell the gentleman I do not know why the act I have referred to is not working out as satisfactorily as I believe it should. I intend to investigate and try to make it work out satisfactorily, but I may say that the Department recommends this provision.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield the gentleman from Wisconsin 2 additional minutes.

Mr. BOILEAU. I understand the Department favors this method of payment. The other may be a little complicated. I cannot undertake to tell the gentleman why they are not operating under the law that was passed, because I do not know, but I say to the gentleman, as one who is interested in this tribe, I shall make an investigation, and if it is possible to carry out the provisions of the act of 1934 so that we will not have to come back for per-capita payments, I want to see that done. When I introduced that bill on behalf of the Menominee Indians they assured me it was their intention not to come back for per-capita payments. I do not want to say anything here that will preclude me in the future, in the event it becomes necessary to ask for such payments, but I do wish to say to the gentleman that I do not believe per-capita payments should be made if the matter can be worked out in the manner provided for in the act of 1934. However, I may say this does not deplete the accumulations from the sale of timber that have gone into the fund.

Mr. HOUSTON. All the receipts from the sale of timber go into this fund?

Mr. BOILEAU. It all goes into their fund; yes.

Mr. HOUSTON. What about the second growth of trees? Do they continue to plant as they cut?

Mr. BOILEAU. They do some planting, I believe, but they have sufficient timber from natural replanting. Let me point out to the gentleman that this is one of the finest experiments in reforestation and in the maintenance of forest reserves ever conducted in this country. They cut their timber so there is natural reseeding and a continuous growth. Since 1908 it has been going on in this way, and it has proven very satisfactory, and it has been very helpful to those in this country who are interested in reforestation to see how this has worked out.

Mr. HOUSTON. And the timber is not going to be depleted in the next few years.

Mr. BOILEAU. No; it will not be, because of the fact we do selective cutting, and that is the only thing that is going to protect the Menominee Indians, and it is also the reason the chairman can say today that the Menominee Tribe of Indians is the second richest tribe of Indians in the United States. There are only 2,000 of them, but they have some property left because the La Follette Act prohibits the exploitation of the Indians of Wisconsin. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from Oklahoma to recede and concur in the Senate amendment.

The question was taken; and on a division, the Chair announcing himself in doubt, there were—ayes 115, noes 9.

So the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment no. 89: Page 85, after line 23, insert: "Gila project, Arizona, \$1,250,000; said Gila project, including the waters to be diverted and used thereby and the lands and structures for the diversion and storage thereof, to be subject to the provisions of the Boulder Canyon Project Act of December 21, 1923, and subject to and controlled by the provisions of the Colorado River compact signed at Santa Fe, N. Mex., November 24, 1922."

Mr. SCRUGHAM. Mr. Speaker, I move that the House recede and concur.

The SPEAKER. The question is on the motion of the gentleman from Nevada that the House recede and concur.

Mr. MURDOCK of Utah. Mr. Speaker, I demand a division of that question.

The SPEAKER. The gentleman is entitled to a division of the question. The question is whether the House shall recede from its disagreement to the Senate amendment.

Mr. RICH. Mr. Speaker, I would like to have the chairman of the committee yield, so that we can have some time on this amendment.

Mr. SCRUGHAM. As I understand, the gentleman from Utah has demanded a division of the question. That is, to vote separately on receding and on concurring.

Mr. RICH. Mr. Speaker, we do not want to recede or concur until we know what is going on.

Mr. SCRUGHAM. The gentleman will not have to vote on either one until there is ample time for debate.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. If we agree to the motion, will we be deprived of the privilege of discussing this matter before the House?

The SPEAKER. The motion to concur is debatable. The first proposition is on the division of the question. The question is on the motion that the House recede from its disagreement to the Senate amendment.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 58, noes 58.

The SPEAKER. The Chair votes "aye."

Mr. RICH. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. The

Chair will count. Two hundred and nineteen Members present, a quorum.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Forty-nine Members have risen, a sufficient number, and the yeas and nays are ordered. The question is, Shall the House recede from its disagreement to the Senate amendment?

The question was taken; and there were—yeas 122, nays 191, not voting 118, as follows:

[Roll No. 110]

YEAS—122

Barden	Eckert	Kvale	Poage
Bernard	Elliott	Leavy	Ramsay
Bigelow	Englebright	Lemke	Randolph
Boileau	Evans	Lesinski	Rankin
Boland, Pa.	Fitzpatrick	Lewis, Colo.	Rayburn
Boren	Ford, Calif.	Luckey, Nebr.	Robinson, Utah
Brown	Ford, Miss.	McFarlane	Romjue
Buckler, Minn.	Fuller	McGehee	Sanders
Burdick	Fulmer	McGrath	Scrugham
Byrne	Gearhart	McKeough	Shanley
Carter	Gehrmann	McReynolds	Shannon
Cartwright	Gildea	Magnuson	Sheppard
Case, S. Dak.	Green	Martin, Colo.	Smith, Wash.
Chandler	Greever	Massingale	Sparkman
Clark, Idaho	Harlan	Maverick	Thomas, Tex.
Coffee, Wash.	Havener	Mead	Thomason, Tex.
Colden	Healey	Merritt	Turner
Costello	Hendricks	Mott	Voorhis
Cullen	Hildebrandt	Murdock, Ariz.	Wallgren
Cummings	Hill, Okla.	Murdock, Utah	Wearin
Daly	Honeyman	Norton	Weaver
Delaney	Hook	O'Connell, Mont.	Welch
Dempsey	Houston	O'Connor, Mont.	West
DeMuth	Izac	O'Day	White, Idaho
Dies	Johnson, Lyndon	O'Leary	Whittington
Dingell	Johnson, Okla.	O'Malley	Willcox
Disney	Johnson, W. Va.	Palmisano	Withrow
Doughton	Jones	Patman	Wood
Doxey	Keller	Patton	Zimmerman
Drew, Pa.	Kelly, Ill.	Peterson, Fla.	
Dunn	Kramer	Pierce	

NAYS—191

Aleshire	Driver	Knutson	Richards
Anderson, Mo.	Eberharter	Kocalkowski	Rigney
Andresen, Minn.	Elcher	Lambertson	Robertson
Andrews	Engel	Lamneck	Robison, Ky.
Arends	Faddis	Lanham	Rogers, Mass.
Arnold	Farley	Lanzetta	Rutherford
Ashbrook	Fish	Lord	Sauthoff
Atkinson	Flannery	Luce	Schaefer, Ill.
Barry	Fletcher	Ludlow	Schneider, Wls.
Bates	Forand	McAndrews	Schulte
Beam	Frey, Pa.	McClellan	Secrest
Beiter	Fries, Ill.	McCormack	Seger
Bell	Gambrill	McGranery	Shafer, Mich.
Biermann	Garrett	McLaughlin	Short
Binderup	Gifford	Maas	Smith, Conn.
Boehne	Gingery	Mahon, S. C.	Smith, Maine
Boyer	Goldsborough	Mahon, Tex.	Smith, Va.
Boykin	Gray, Ind.	Maloney	Snell
Bradley	Gregory	Mapes	South
Brooks	Griffith	Martin, Mass.	Spence
Carlson	Griswold	Mason	Starnes
Champion	Guyer	Michener	Stefan
Church	Gwynne	Millard	Sweeney
Citron	Haines	Miller	Swope
Clason	Halleck	Mitchell, Tenn.	Taber
Claypool	Hamilton	Moser, Pa.	Tarver
Cluett	Hancock, N. Y.	Nelson	Taylor, S. C.
Cochran	Hart	O'Brien, Ill.	Terry
Coffee, Nebr.	Harter	O'Connell, R. I.	Thom
Cole, Md.	Hennings	O'Neal, Ky.	Thomas, N. J.
Cole, N. Y.	Higgins	O'Neill, N. J.	Thompson, Ill.
Colmer	Hobbs	O'Toole	Thurston
Cooley	Hoffman	Oliver	Tinkham
Cooper	Hope	Owen	Towey
Cox	Hull	Parsons	Transue
Cravens	Imhoff	Patterson	Treadway
Crawford	Jacobsen	Pearson	Umstead
Creal	Jarrett	Peterson, Ga.	Vincent, B. M.
Crosser	Jenkins, Ohio	Pettengill	Vinson, Fred M.
Crowe	Jenks, N. H.	Polk	Walter
Deen	Johnson, Luther A.	Powers	Welchel
Dirksen	Kennedy, Md.	Rabaut	Williams
Ditter	Kenney	Ramspeck	Wolcott
Dixon	Keogh	Reece, Tenn.	Wolfenden
Dondero	Kinzer	Reed, Ill.	Wolverton
Dorsey	Kitchens	Rees, Kans.	Woodruff
Douglas	Kleberg	Relly	Woodrum
Dowell	Kniffin	Rich	

NOT VOTING—118

Allen, Del.	Allen, La.	Amie	Bland
Allen, Ill.	Allen, Pa.	Bacon	Bloom

Boylan, N. Y.	Fitzgerald	Lewis, Md.	Sabath
Brewster	Flannagan	Long	Sacks
Buck	Fleger	Lucas	Sadowski
Buckley, N. Y.	Gasque	Luecke, Mich.	Schuetz
Bulwinkle	Gavagan	McGroarty	Scott
Burch	Gilchrist	McLean	Simpson
Caldwell	Gray, Pa.	McMillan	Sirovich
Cannon, Mo.	Greenwood	McSweeney	Smith, W. Va.
Cannon, Wis.	Hancock, N. C.	Mansfield	Snyder, Pa.
Casey, Mass.	Harrington	May	Somers, N. Y.
Celler	Hartley	Meeks	Stack
Chapman	Hill, Ala.	Mills	Steagall
Clark, N. C.	Hill, Wash.	Mitchell, Ill.	Sullivan
Collins	Holmes	Mosier, Ohio	Summers, Tex.
Crosby	Hunter	Mouton	Sutphin
Crowther	Jarman	Nichols	Taylor, Colo.
Culkin	Jenckes, Ind.	O'Brien, Mich.	Taylor, Tenn.
Curley	Johnson, Minn.	O'Connor, N. Y.	Teigan
DeRouen	Kee	Pace	Tobey
Dickstein	Kelly, N. Y.	Patrick	Tolan
Dockweiler	Kennedy, N. Y.	Peyser	Vinson, Ga.
Drewry, Va.	Kerr	Pfeifer	Wadsworth
Duncan	Kirwan	Phillips	Warren
Eaton	Kloeb	Plumley	Wene
Edmiston	Kopplemann	Quinn	White, Ohio
Ellenbogen	Lambeth	Reed, N. Y.	Wigglesworth
Ferguson	Larrabee	Rogers, Okla.	
Fernandez	Lea	Ryan	

So the motion was rejected.

The Clerk announced the following pairs:

Mr. Vinson of Georgia with Mr. Eaton.
 Mr. Bland with Mr. White of Ohio.
 Mr. Sullivan with Mr. Plumley.
 Mr. Caldwell with Mr. Bacon.
 Mr. Gavagan with Mr. Tobey.
 Mr. Clark of North Carolina with Mr. Wigglesworth.
 Mr. Bloom with Mr. Reed of New York.
 Mr. Tolan with Mr. Holmes.
 Mr. Kerr with Mr. Crowther.
 Mr. Boylan of New York with Mr. Hartley.
 Mr. McSweeney with Mr. Teigan.
 Mr. Mansfield with Mr. Johnson of Minnesota.
 Mr. Flannagan with Mr. Dickstein.
 Mr. Larrabee with Mr. Mills.
 Mr. O'Connor of New York with Mr. Pace.
 Mr. Steagall with Mr. Hill of Washington.
 Mr. Pfeifer with Mr. Jarman.
 Mr. Summers of Texas with Mr. Kirwan.
 Mr. Nichols with Mr. Hunter.
 Mr. Sutphin with Mr. Allen of Louisiana.
 Mr. Lea with Mr. Meeks.
 Mr. Kennedy of New York with Mr. Lucas.
 Mr. Lewis of Maryland with Mr. Mosier of Ohio.
 Mr. O'Brien of Michigan with Mr. Patrick.
 Mr. Sabath with Mr. Sadowski.

Mr. McGRANERY changed his vote from "aye" to "no."

Mr. McCORMACK. Mr. Speaker, I desire to vote.

The SPEAKER. Does the gentleman qualify?

Mr. McCORMACK. I cannot qualify, Mr. Speaker.

Mr. SUMNERS of Texas. Mr. Speaker, I desire to vote.

The SPEAKER. Does the gentleman qualify?

Mr. SUMNERS of Texas. I cannot qualify, Mr. Speaker.

The result of the vote was announced as above recorded.

Mr. SCRUGHAM. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate numbered 89.

The motion was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WIGGLESWORTH (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of illness.

To Mr. FLEGER (at the request of Mr. KIRWAN), on account of illness.

To Mr. LAMBETH, indefinitely, on account of official business.

To Mr. PLUMLEY, for 2 weeks, on account of official business.

To Mr. COLLINS (at the request of Mr. RAYBURN), indefinitely, on account of important business.

To Mr. FITZGERALD (at the request of Mr. SMITH of Connecticut), for 2 days, on account of important business.

To Mr. RAMSPECK, until Tuesday, July 20, 1937, on account of important business.

EXTENSION OF REMARKS

Mr. MILLARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a letter from Dr. Adams.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by including a short editorial on the Court.

The SPEAKER. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an address which I delivered in the Old South Church in Boston, Mass., on the subject of the General Welfare Act, 1937.

The SPEAKER. Is there objection?

There was no objection.

Mr. BARRY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a copy of a letter which I addressed to the members of the Committee on Banking and Currency today.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that on Thursday next, after disposition of matters on the Speaker's table and the conclusion of the legislative program, I may be given 20 minutes in which to discuss the Washington plan on electric rates.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 7562. An act to create the Farmers' Home Corporation, to promote more secure occupancy of farms and farm homes, to correct the economic instability resulting from some present forms of farm tenancy, and for other purposes;

H. R. 7865. An act making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937; and

H. J. Res. 431. Joint resolution making an appropriation for the control of outbreaks of insect pests.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 458. An act for the relief of Eva Markowitz;

H. R. 730. An act for the relief of Joseph M. Clagett, Jr.;

H. R. 1377. An act for the relief of Walter T. Karshner, Katherine Karshner, Anna M. Karshner, and Mrs. James E. McShane;

H. R. 1945. An act for the relief of Venice La Prad;

H. R. 2332. An act for the relief of William Sulem;

H. R. 2562. An act for the relief of Mr. and Mrs. David Stoppel;

H. R. 2565. An act to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the Mississippi River and its tributaries;

H. R. 3634. An act for the relief of Noah Spooner;

H. R. 7562. An act to create the Farmers' Home Corporation, to promote more secure occupancy of farms and farm homes, to correct the economic instability resulting from some present forms of farm tenancy, and for other purposes;

H. R. 7865. An act making appropriations for certain necessary operations of the Federal Government for the last half of the month of July 1937; and

H. J. Res. 431. Joint resolution making an appropriation for the control of outbreaks of insect pests.

ADJOURNMENT

Mr. SCRUGHAM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House, pursuant to its order heretofore entered, adjourned until tomorrow, Friday, July 16, 1937, at 11:40 a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Research Subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Thursday, July 22, 1937. Business to be considered: Hearing on H. R. 1536, H. R. 5531, H. R. 7001, and H. R. 7643, research bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

720. A communication from the President of the United States, transmitting the draft of a proposed provision pertaining to an existing appropriation of the Civilian Conservation Corps for the fiscal year 1938 (H. Doc. No. 298); to the Committee on Appropriations and ordered to be printed.

721. A communication from the President of the United States, transmitting the draft of a proposed provision pertaining to an existing appropriation of the Federal Housing Administration for the fiscal year 1938 (H. Doc. No. 297); to the Committee on Appropriations and ordered to be printed.

722. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to provide for the reimbursement of certain enlisted men and former enlisted men of the Navy for the value of personal effects lost while engaged in emergency relief expeditions during the Ohio Valley flood in February 1937; to the Committee on Claims.

723. A letter from the Secretary of War transmitting a letter from the Chief of Engineers, United States Army, dated July 13, 1937, submitting a report, together with accompanying papers on a preliminary examination of Redondo Beach Harbor, Calif., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

724. A letter from the Acting Comptroller General of the United States, transmitting a report and recommendation to the Congress concerning the claims of Frank Pashley and Brown Garrett against the United States with request that you lay the same before the House of Representatives; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. HEALEY: Committee on the Judiciary. H. R. 4810. A bill to incorporate the Marine Corps League; with amendment (Rept. No. 1246). Referred to the House Calendar.

Mr. DORSEY: Committee on Military Affairs. H. R. 6173. A bill to authorize the attendance of the Army Band at the National Convention of the Military Order of the Purple Heart to be held in Philadelphia, Pa., August 7, 1937; without amendment (Rept. No. 1247). Referred to the Committee of the Whole House on the state of the Union.

Mr. KENNEDY of Maryland: Committee on the District of Columbia. H. R. 7835. A bill to provide authorization for the advancement of funds for the District of Columbia; with amendment (Rept. No. 1248). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANZETTA: Committee on Insular Affairs. H. R. 4275. A bill to correct the United States citizenship status of certain persons born in Puerto Rico, and for other purposes; with amendment (Rept. No. 1249). Referred to the House Calendar.

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REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. CARLSON: Committee on Claims. H. R. 345. A bill for the relief of Genevieve E. Daley; with amendment (Rept. No. 1226). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 459. A bill for the relief of the Derby Oil Co.; with amendment (Rept. No. 1227). Referred to the Committee of the Whole House.

Mr. BEVERLY M. VINCENT: Committee on Claims. H. R. 2195. A bill for the relief of Oliver Z. Hoge; with amendment (Rept. No. 1228). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 2455. A bill for the relief of the heirs of Edward P. Frank, deceased; with amendment (Rept. No. 1229). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 3225. A bill for the relief of Roland Stafford; with amendment (Rept. No. 1230). Referred to the Committee of the Whole House.

Mr. CARLSON: Committee on Claims. H. R. 4229. A bill for the relief of Clifford Belcher; with amendment (Rept. No. 1231). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 4493. A bill for the relief of Charles N. Robinson; with amendment (Rept. No. 1232). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 4506. A bill for the relief of Norman E. Sherman and Banks W. Smith, operating under the name of California Flyers, for damages sustained by collision with Navy plane F4B4 by Waco cabin airplane NC12456; with amendment (Rept. No. 1233). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 4583. A bill for the relief of Arthur T. Worley; with amendment (Rept. No. 1234). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 4864. A bill for the relief of Helen Rauch; with amendment (Rept. No. 1235). Referred to the Committee of the Whole House.

Mr. DREW of Pennsylvania: Committee on Claims. H. R. 5568. A bill for the relief of Maj. William W. McCaw; with amendment (Rept. No. 1236). Referred to the Committee of the Whole House.

Mr. DREW of Pennsylvania: Committee on Claims. H. R. 5639. A bill for the relief of Henrietta Wills; with amendment (Rept. No. 1237). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 5768. A bill for the relief of A. B. Chambers and in behalf of Mary Louise Chambers, a minor; with amendment (Rept. No. 1238). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 5994. A bill for the relief of S. Uttal; with amendment (Rept. No. 1239). Referred to the Committee of the Whole House.

Mr. ATKINSON: Committee on Claims. H. R. 6135. A bill for the relief of R. E. Rainer; with amendment (Rept. No. 1240). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 6155. A bill for the relief of Sadie N. Pike and Edward W. Pike; with amendment (Rept. No. 1241). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 6271. A bill for the relief of Annie Fleming, George Perdue, O. B. Ross, and Sadie Washington; with amendment (Rept. No. 1242). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 1585. An act for the relief of Sallie S. Twilley; without amendment (Rept. No. 1243). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 7716. A bill to provide for admission into the United States of Clarence Joseph Ferguson, an alien; with

amendment (Rept. No. 1250). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND of Pennsylvania: A bill (H. R. 7866) to regulate interstate commerce in anthracite, to conserve the anthracite resources of the United States, to establish an anthracite reserve, to provide for the general welfare, and for other purposes; to the Committee on Ways and Means.

By Mr. GREEVER: A bill (H. R. 7867) to amend section 11 of the act of Congress approved July 10, 1890 (26 Stat., ch. 664), relating to the admission into the Union of the State of Wyoming; to the Committee on the Territories.

By Mr. LEMKE: A bill (H. R. 7868) to provide for conveying to the State of North Dakota certain lands within Burleigh County within that State for public use; to the Committee on the Public Lands.

By Mr. SOMERS of New York: A bill (H. R. 7869) to define certain units and to fix the standards of weights and measures of the United States; to the Committee on Coinage, Weights, and Measures.

By Mr. SCHULTE: A bill (H. R. 7870) authorizing appropriation for the investigation and survey of a site for a bridge over the Potomac River at or near the foot of King Street, Alexandria, Va., to Congress Heights, D. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON: A bill (H. R. 7871) to create a commission to be known as the Alaskan International Highway Commission; to the Committee on Foreign Affairs.

By Mrs. JENCKES of Indiana: A bill (H. R. 7872) to amend the Teachers' Retirement Act of June 15, 1920, and for other purposes; to the Committee on the District of Columbia.

By Mr. MEAD: A bill (H. R. 7873) providing for the transportation of the mails on certain commercially operated aircraft, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. PIERCE: A bill (H. R. 7874) to provide for the leasing of State, county, and privately owned lands for the purpose of furthering the orderly use, improvement, and development of grazing districts; to the Committee on the Public Lands.

By Mr. THOM: A bill (H. R. 7875) to provide that the heads of the executive departments may occupy seats on the floor of the Senate and the House of Representatives; to the Committee on Rules.

By Mr. MAGNUSON: A bill (H. R. 7876) to amend the United States mining laws applicable to the national forests within the State of Washington; to the Committee on the Public Lands.

Also, a bill (H. R. 7877) to appropriate funds for construction of a graving dock at Puget Sound Navy Yard, Bremerton, Wash.; to the Committee on Naval Affairs.

By Mr. DIMOND: A bill (H. R. 7878) to amend an act approved June 14, 1906 (34 Stat. 263), entitled "An act to prevent aliens from fishing in the waters of Alaska"; to the Committee on the Territories.

By Mr. HILDEBRANDT: A bill (H. R. 7879) to provide additional compensation to star-route carriers for necessary increased mileage, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. GASQUE: A bill (H. R. 7880) to amend the Veterans' Regulation No. 10, pertaining to line of duty for peacetime veterans, their widows and dependents, and for other purposes; to the Committee on Pensions.

By Mr. KENNEY: Joint resolution (H. J. Res. 445) granting the consent of Congress to a compact between the States of New York and New Jersey providing for the creation of the Palisades Interstate Park Commission as a joint corporate municipal instrumentality of said States with appropriate rights, powers, duties, and immunities, for the transfer of said commission of certain functions, jurisdiction, rights, powers, and duties, together with the properties of the bodies politic now existing in each State known

as "Commissioners of the Palisades Interstate Park" and for the continuance of the Palisades Interstate Park; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGHTON: Joint resolution (H. J. Res. 446) to authorize the acceptance on behalf of the United States of certain bequests of James Reuel Smith, late of the city of Yonkers, State of New York; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BINDERUP: A bill (H. R. 7881) granting a pension to Margaret A. Redfield; to the Committee on Pensions.

Also, a bill (H. R. 7882) for the relief of Karl A. Medalin; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 7883) for the relief of Stefano Pagliaro; to the Committee on Immigration and Naturalization.

By Mr. FLANNERY: A bill (H. R. 7884) for the relief of William F. Sponenberg; to the Committee on Military Affairs.

By Mr. FORD of California: A bill (H. R. 7885) for the relief of John Paul Smith; to the Committee on Naval Affairs.

By Mr. GRAY of Pennsylvania: A bill (H. R. 7886) granting a pension to Benson A. Weston; to the Committee on Invalid Pensions.

By Mrs. JENCKES of Indiana: A bill (H. R. 7887) granting a pension to Roxie Francis Coffey and Barbara Jean Coffey, minor children of John Coffey; to the Committee on Invalid Pensions.

By Mrs. O'DAY: A bill (H. R. 7888) for the relief of sundry aliens; to the Committee on Immigration and Naturalization.

By Mr. PATRICK: A bill (H. R. 7889) for the relief of First Lt. Samuel E. Williams; to the Committee on Claims.

By Mr. RAMSPECK: A bill (H. R. 7890) for the relief of Brooks-Callaway Co.; to the Committee on Claims.

By Mr. SIROVICH: A bill (H. R. 7891) for the relief of Mira Friedberg (Mira Dworecka); to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2940. By Mr. FITZPATRICK: Petition of a number of citizens of Pelham and Pelham Manor, N. Y., protesting against the President's bill, or any substitutes, permitting the executive branch of the Government to control or subordinate the judicial or the legislative powers established under the Constitution; to the Committee on the Judiciary.

2941. By Mr. HAVENNER: Petition of the Union Recreation Center, San Francisco, urging support of the proposals of President Roosevelt to reform the Supreme Court of the United States; to the Committee on the Judiciary.

2942. Also, petition of citizens of San Francisco and others, opposing the nullification of the California community property tax law; to the Committee on Ways and Means.

2943. By Mr. HIGGINS: Resolution making application to Congress to grant an annuity to the widow of Congressman William P. Connery, Jr., former Representative of the Seventh Congressional District of Massachusetts; to the Committee on Accounts.

2944. By Mr. HILDEBRANDT: Petition for the relief of Aurora County, S. Dak.; to the Committee on Appropriations.

2945. By Mr. KENNEY: Petition of the New Jersey State Council of Steuben Society of America, favoring the adoption of the Ludlow war referendum resolution; to the Committee on the Judiciary.

2946. By Mr. O'NEILL of New Jersey: Petition of the United Association of Journeymen Plumbers and Steam Fitters, Local 236, Trenton, N. J., and Brotherhood of Painters,

Decorators, and Paperhangers, Local 301, Trenton, N. J., petitioning for the passage of the Wagner-Steagall housing bill; to the Committee on Banking and Currency.

2947. By Mr. PETERSON of Georgia: Petition of citizens of Emanuel County, Ga., concerning the old-age pension bill (H. R. 2257); to the Committee on Ways and Means.

SENATE

FRIDAY, JULY 16, 1937

The Senate met at 12 o'clock meridian.

FUNERAL OF SENATOR ROBINSON

The casket containing the body of the deceased Senator had been previously brought into the Senate Chamber and placed in the area in front of the desk, being surrounded by many floral tributes.

The PRESIDENT pro tempore. The Senate is in session, according to the unanimous-consent order, to participate in the funeral services for the late Senator JOSEPH T. ROBINSON, of Arkansas.

The invited guests of the Senate will be escorted to the places assigned them.

The Members of the House of Representatives, preceded by the Sergeant at Arms and the Clerk and by the Speaker, entered the Senate Chamber. The Speaker was escorted to a seat on the right of the President pro tempore. The Sergeant at Arms and Clerk were assigned to seats at the Secretary's desk, and Members of the House were given the seats provided for them.

The members of the Diplomatic Corps entered the Chamber and were seated to the left of the Vice President's desk.

Mr. Justice Butler, of the Supreme Court of the United States, representing that body, accompanied by the Marshal, entered the Chamber and was seated in the area to the left of the Vice President's desk.

The Chief of Staff of the Army, the Chief of Naval Operations, the Major General Commandant of the Marine Corps, and the Commandant of the Coast Guard entered the Chamber and were seated in the area to the left of the Vice President's desk.

Mrs. Robinson and relatives and friends of the deceased Senator, accompanied by Rev. Z. Barney T. Phillips, D. D., Chaplain of the Senate, and Rev. James Shera Montgomery, D. D., Chaplain of the House of Representatives, entered the Chamber. Mrs. Robinson, members of the family, and friends were seated in the area below and to the left of the Vice President's desk. Dr. Phillips and Dr. Montgomery took their places at the Secretary's desk.

The President of the United States and the Members of his Cabinet, preceded by the Sergeant at Arms of the Senate, entered the Chamber and were seated in the area in front and to the right of the Vice President's desk.

The PRESIDENT pro tempore. The President of the United States, members of the Cabinet, members of the Supreme Court, the Diplomatic Corps, the Chief of Staff of the Army, the Chief of Naval Operations, the Major General Commandant of the Marine Corps and the Commandant of the Coast Guard, the House of Representatives of the United States and its Speaker [WILLIAM B. BANKHEAD, of Alabama], the widow, relatives, and friends of the deceased having assembled, in accordance with the unanimous-consent order and invitation to participate in the formal Senate ceremonies on the occasion of the funeral of our late beloved colleague, Senator JOSEPH T. ROBINSON, the Chair now, in accordance with that order, requests the Chaplain of the Senate to conduct the services.

Miss Helen Howison, of the city of Washington, sang Lead Kindly Light.

Lead Kindly Light, amid the encircling gloom,
Lead Thou me on!
The night is dark, and I am far from home—
Lead Thou me on!
Keep Thou my feet; I do not ask to see
The distant scene—one step enough for me.

I was not ever thus, nor prayed that Thou
Shouldst lead me on.
I loved to choose and see my path; but now
Lead Thou me on!
I loved the garish day, and, spite of fears,
Pride ruled my will; remember not past years.
So long Thy power hath blessed me, sure it still
Will lead me on,
O'er moor and fen, o'er crag and torrent, till
The night is gone;
And with the morn those angel faces smile
Which I have loved long since, and lost a while.

The Chaplain of the Senate recited from the Episcopal burial office as follows:

I am the resurrection and the life, saith the Lord. He that believeth in Me, though he were dead, yet shall he live; and whosoever liveth and believeth in Me shall never die.

I know that my Redeemer liveth, and that He shall stand at the latter day upon the earth, and though this body be destroyed, yet shall I see God, whom I shall see for myself, and mine eyes shall behold, and not another.

We brought nothing into this world, and it is certain we can carry nothing out. The Lord gave and the Lord hath taken away; blessed be the name of the Lord.

Lord, let me know mine end and the number of my days, that I may be certified how long I have to live.

Behold, Thou hast made my days as it were a span long, and mine age is even as nothing in respect of Thee; and verily every man living is altogether vanity.

For man walketh in a vain shadow and disquieteth himself in vain; he heapeth up riches and cannot tell who shall gather them.

And now, Lord, what is my hope? Truly my hope is even in Thee.

Deliver me from all mine offences, and make me not a rebuke unto the foolish.

When Thou with rebukes dost chasten man for sin, Thou makest his beauty to consume away, like as it were a moth fretting a garment; every man therefore is but vanity.

Hear my prayer, O Lord, and with Thine ears consider my calling; hold not Thy peace at my tears; for I am a stranger with Thee and a sojourner, as all my fathers were.

Oh, spare me a little, that I may recover my strength before I go hence and be no more seen.

Glory be to the Father and to the Son and to the Holy Ghost. As it was in the beginning, is now, and ever shall be, world without end. Amen.

(St. John 14: 1)

Jesus said, Let not your heart be troubled; ye believe in God, believe also in Me. In My Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you, I will come again, and receive you unto myself; that where I am, there ye may be also. And whither I go ye know, and the way ye know. Thomas saith unto Him, Lord, we know not whither Thou goest; and how can we know the way? Jesus saith unto him, I am the way, the truth, and the life; no man cometh unto the Father but by Me.

(Romans 8: 14)

As many as are led by the Spirit of God, they are the sons of God. For ye have not received the spirit of bondage again to fear; but ye have received the Spirit of adoption, whereby we cry, Abba, Father. The Spirit himself beareth witness with our spirit, that we are the children of God; and if children, then heirs; heirs of God, and joint heirs with Christ; if so be that we suffer with Him, that we may be also glorified together. For I reckon that the sufferings of this present time are not worthy to be compared with the glory which shall be revealed in us. For the earnest expectation of the creature waiteth for the manifestation of the sons of God. We know that all things